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# R E P O R T

FROM THE

SELECT COMMITTEE

ON

## PHARMACY BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND INDEX.

6-11-52  

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*Ordered, by The House of Commons, to be Printed,*  
*21 May 1852.*

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*Mercurii, 17<sup>o</sup> die Martii, 1852.*

PHARMACY BILL, “ for Regulating the Qualifications of Pharmaceutical Chemists,  
read 2<sup>o</sup>, and committed to a Select Committee.

*Lunæ, 22<sup>o</sup> die Martii, 1852.*

Select Committee nominated, of—

Mr. Jacob Bell.  
Mr. Ewart.  
Mr. Bouverie.  
Sir William Gibson Craig.  
Mr. Cardwell.  
Sir Henry Willoughby.  
Mr. Wakley.

Mr. Deedes.  
Mr. Hindley.  
Mr. Jackson.  
Mr. Farrer.  
Mr. Wyld.  
Mr. Bramston.

*Ordered*, THAT the Committee have power to send for Persons, Papers and Records.

*Ordered*, That Five be the Quorum of the Committee.

*Veneris, 26<sup>o</sup> die Martii, 1852.*

*Ordered*, THAT Mr. Bramston be discharged from further attendance on the Committee,  
and that Lord Burghley be added thereto.

*Jovis, 20<sup>o</sup> die Maii, 1852.*

*Ordered*, THAT the Committee have power to Report the Minutes of Evidence taken  
before them, to The House.

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## R E P O R T.

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Mr. BELL reported from the SELECT COMMITTEE to whom the PHARMACY BILL was referred, and who were empowered to send for Persons, Papers and Records, and also to Report the MINUTES of EVIDENCE taken before them, to The House:—

THAT they had considered the said Bill, and had taken Evidence thereon, and had gone through the Bill and made Amendments thereunto.

21 *May* 1852.

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 PROCEEDINGS OF THE COMMITTEE.
 

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*Lunæ, 29<sup>o</sup> die Martii, 1852.*

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## MEMBERS PRESENT :

Mr. Bell.  
Sir H. Willoughby.  
Mr. Hindley.  
Mr. Deedes.

Mr. Jackson.  
Mr. Farrer.  
Mr. Bouverie.

Mr. BELL, was called to the Chair.

The Committee deliberated.

[Adjourned.]

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*Martis, 30<sup>o</sup> die Martii, 1852.*

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## MEMBERS PRESENT :

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Hindley.  
Mr. Farrer.  
Mr. Deedes.  
Sir H. Willoughby.  
Sir W. G. Craig.

Mr. Bouverie.  
Mr. Jackson.  
Mr. Ewart.  
Lord Burghley.  
Mr. Wyld.

*James Arthur Wilson, Esq.*, examined.

*John F. South, Esq.*, examined.

*Robert Brotherson Upton, Esq.*, examined.

[Adjourned to Friday next, at Twelve o'clock.]

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*Veneris, 2<sup>o</sup> die Aprilis, 1852.*

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## MEMBERS PRESENT :

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Farrer.  
Mr. Bouverie.  
Mr. Jackson.  
Mr. Hindley.  
Mr. Ewart.

Sir W. G. Craig.  
Sir H. Willoughby.  
Mr. Wyld.  
Lord Burghley.  
Mr. Deedes.

Mr. *John Savory*, examined.

Sir *Benjamin Brodie*, Bart., examined.

Mr. *Peter Squire*, examined.

Mr. *Thomas Herring*, examined.

Mr. *George Walter Smith*, examined.

[Adjourned to Thursday, the 22d April, at Twelve o'clock.]

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*Jovis, 22<sup>o</sup> die Aprilis, 1852.*

## MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Ewart.  
Mr. Bouverie.  
Sir W. G. Craig.  
Sir H. Willoughby.

Mr. Deedes.  
Mr. Hindley.  
Mr. Jackson.  
Mr. Farrer.  
Mr. Wyld.

Dr. *Hofmann*, examined.

Mr. *George Walter Smith*, further examined.

C— *Baschet*, examined.

Dr. *Hamberg*, examined.

Mr. *Richard William Giles*, examined.

Mr. *George Walter Smith*, again examined.

Professor *Kopp*, examined.

[Adjourned to Monday next, at Twelve o'clock.]

*Lunæ, 26<sup>o</sup> die Aprilis, 1852.*

## MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Sir W. G. Craig.  
M. Hindley.

Mr. Jackson.  
Mr. Farrer.  
Lord Burghley.

*John Gairdner*, Esq., M. D., examined.

*James Combe*, Esq., M. D., examined.

*James Watson*, Esq., M. D., examined.

[Adjourned to To-morrow, at Twelve o'clock.]

*Martis, 27<sup>o</sup> die Aprilis, 1852.*

## MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Ewart.  
Sir. W. G. Craig.

Mr. Hindley.  
Mr. Farrer.

Mr. *John Mackay*, examined.

*Douglas MacLagan*, M. D., F. R. S. E., examined.

*James Watson*, Esq., M. D., further examined.

*Robert Renton*, Esq., F. R. P. E., examined.

*Alexander Wood*, Esq., M. D., examined.

[Adjourned to Thursday next, at Twelve o'clock.]

*Jovis, 29<sup>o</sup> die Aprilis, 1852.*

## MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Jackson.  
Mr. Deedes.  
Mr. Ewart.

Mr. Wakley.  
Mr. Hindley.  
Mr. Farrer.  
Mr. Wyld.

*George Webster*, Esq., M. D., examined.

*Marshall Hall*, Esq., M. D., examined.

*Edwards Crisp*, Esq., M. D., examined.

*John Rose Cormack*, Esq., M. D., examined.

*Henry Ancell*, Esq., M. R. C. S., examined.

[Adjourned to Monday, at One o'clock.]

*Lunæ, 3<sup>o</sup> die Maii, 1852.*

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MEMBERS PRESENT:

Mr. Bell.  
Mr. Hindley.

Mr. Jackson.

A quorum not being present,

[Adjourned.]

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*Veneris, 7<sup>o</sup> die Maii, 1852.*

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MEMBERS PRESENT.

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Hindley.  
Mr. Ewart.

Sir W. G. Craig.  
Mr. Farrer.  
Lord Burghley.

*John Propert*, Esq., examined.

*Henry Ancell*, Esq., further examined.

*John Propert*, Esq., further examined.

Mr. *Ancell's* examination resumed.

*John Propert*, further examined.

*William O'Connor*, Esq., examined.

*Henry Ancell*, Esq., further examined.

*Jonathan Pereira*, Esq., M. D., examined.

[Adjourned.]

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*Martis, 11<sup>o</sup> die Maii, 1852.*

A quorum not being present,

[Committee adjourned.]

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*Mercurii, 12<sup>o</sup> die Maii, 1852.*

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MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Jacob Bell.  
Mr. Ewart.  
Mr. Bouverie.  
Sir W. G. Craig.  
Sir H. Willoughby.  
Mr. Wakley.

Mr. Deedes.  
Mr. Hindley.  
Mr. Jackson.  
Mr. Farrer.  
Mr. Wyld.  
Lord Burghley.

*George Stilwell*, Esq., examined.

*Theophilus Caractacus Lewis*, M. D., examined.

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*Mercurii, 19<sup>o</sup> die Maii, 1852.*

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MEMBERS PRESENT:

JACOB BELL, Esq., in the Chair.

Mr. Bouverie.  
Mr. Wakley.  
Mr. Hindley.

Sir H. Willoughby.  
Mr. Jackson.

The Committee went through the clauses of the Bill, and made amendments thereunto.  
Resolved, that the Chairman do ask leave to report the Minutes of Evidence to the House.  
Bill as amended agreed to.  
Ordered to Report.

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MINUTES OF EVIDENCE.

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## MINUTES OF EVIDENCE.

*Martis, 30<sup>o</sup> die Martii, 1852.*

### MEMBERS PRESENT.

Mr. Jacob Bell.  
Mr. Hindley.  
Mr. Farrer.  
Mr. Deedes.  
Sir H. Willoughby.  
Sir W. G. Craig.

Mr. Bouverie.  
Mr. Jackson.  
Mr. Ewart.  
Lord Burghley.  
Mr. Wyld.

JACOB BELL, Esq., IN THE CHAIR.

*James Arthur Wilson, Esq., M.D., called in; and Examined.*

1. *Chairman.*] YOU are Physician to St. George's Hospital?—Senior Physician. *J. A. Wilson, Esq., M.D.*

2. And have been for many years, I believe, a lecturer on the practice of physic?—Not for many years on the practice of physic; I have lectured on various branches of my profession. *30 March 1852.*

3. On clinical medicine?—On clinical medicine for many years, and on the practice of physic some 12 or 15 years back.

4. Have you given some attention to the subject of the education which is requisite in medical practitioners?—Considerable attention.

5. Have you, with respect to all branches connected with the medical profession, considered the necessity of education?—I have.

6. Has it ever occurred to you, in the course of your lectures and instruction, that all the labour in education might be frustrated by the incompetence of those who prepared prescriptions?—I have repeatedly expressed myself to that effect in my lectures both at St. George's Hospital and at the College of Physicians, 22 years ago.

7. Do you consider that it is as necessary for the person who compounds the prescription to be educated in pharmacy, as it is for the physician to be educated in the practice of medicine, and the surgeon in surgery?—To refuse assent to that proposition would be to deny physic altogether. I cannot fancy a greater satire upon physic than my declaring that the means which we employ were of little or no consequence.

8. Then you consider it may be laid down as an axiom that pharmaceutical chemists ought to be examined by some Board before they undertake to compound the prescriptions of medical men?—Certainly; they should be proved competent.

9. That point being admitted, have you given any consideration to the jurisdiction under which such a Board ought to be placed?—More or less, at different times, I have given attention to that; but of course the attention in our own profession is so much occupied that one subject supersedes the other; I have, however, at various times given a good deal of attention to that matter.

10. Then it is the fact that in your profession you are so much occupied by the practice of medicine, that you have not an opportunity of going into the details of pharmacy?—In this particular year, and 22 years back, it was my duty, as censor of the College of Physicians, to attend more particularly to the practice

J. A. Wilson, Esq.,  
M. D.  
30 March 1852.

of pharmacy. As censors of the college, we are required by certain Acts of Parliament, by an Act especially passed in the 32d year of Henry the Eighth, and confirmed and enlarged by an Act the 1st of Mary, to examine the "wares and stuff," I think the expression is, of the apothecaries within the precincts of the city of London.

11. That is for the protection of the public within the city of London?—That is for the protection of the public within the city of London.

12. The public outside the city of London are left without that protection?—They are left now without that protection. I am not sure myself that that old Act does not extend to the suburbs in a liberal construction of it; but actually it is confined to the city.

13. But that refers as much to the honesty of the chemist as to his capability of performing his duties; is there any law in this country which obliges a chemist to study at all?—Not that I am aware of.

14. Was not that office performed by the apothecaries formerly?—It was.

15. Prior to the year 1815, and at several periods, did they not endeavour to obtain an Act for the purpose of enforcing the examination of persons practising as apothecaries; by the term "apothecary," meaning a dispenser of medicine?—I believe so.

16. At the time that the Act of 1815 was under consideration, was it proposed to the College of Physicians to undertake the examination of apothecaries?—In 1815, which was Waterloo year, I was a student of Christ Church, Oxford, so that I cannot speak from my own knowledge of what took place in the medical profession at that time; but I have repeatedly heard it stated, and I believe it to be as the Chairman now mentions, that that was proposed.

17. And that the College declined it?—That the College declined it.

18. And that upon that the powers of examination were conferred by the Act of 1815 upon the Society of Apothecaries?—I believe I may say I know that to be the fact.

19. And that society, instead of being incorporated as a pharmaceutical society, similar to the one now in existence, became a society of medical practitioners?—Yes.

20. And they comprised in their curriculum the practice of medicine, and in fact became general practitioners?—Just so.

21. The apothecaries as a company and individually still continue to compound prescriptions, but that is secondary as compared with the giving of advice?—I believe in both instances they do everything; but compounding and preparing medicines is rather considered as secondary to medical attendance and practice.

22. Mr. Bouverie.] They are in the habit individually of compounding medicines for sale, not upon their own prescriptions?—Individually many of them prepare medicines for sale; they sell medicines from their open shops, very many of them.

23. Mr. Ewart.] And as a company as well, do not they?—And as a company as well.

24. Chairman.] They are a trading company?—A trading company in drugs.

25. Is it not a natural result with a class of persons like apothecaries, that being medical practitioners, which they consider a professional avocation, they should to a certain extent neglect pharmacy, which is a trade?—It has always been my opinion that pharmacy would not be so well or so thoroughly carried out by apothecaries, or by medical practitioners of any denomination, as by a class of men whose attention was specially and exclusively given to the subject.

26. Was not that the case in the early history of medicine, when there was only one class of medical men, that they did everything themselves, and that their assistants became the apothecaries; the question refers to the time of Henry the Eighth; did not the assistants of the physicians become apothecaries?—The assistants of the physicians became apothecaries; the apothecaries then existed, more or less, as a body; they were not, to the best of my historical knowledge, incorporated till the time of James the First, but they are spoken of repeatedly, in the Acts confirming our charter, as the apothecaries, or "potticaries," a version which is still affected by some persons, who never speak of the apothecaries but as potticaries; it is *bon ton*, I believe, so to speak of the apothecaries as potticaries.

27. As a general principle, was it not the case, that physicians, finding it  
onerous



onerous to compound their medicines, employed assistants, who grew into apothecaries?—Yes.

28. And consequently practice of necessity has introduced a division of labour between the science of medicine, as it is termed, and the science of pharmacy?—  
Certainly.

29. You have, I suppose, attended to the various medical Bills that have been introduced into Parliament; do you remember one that was introduced about the year 1835 by Mr. Warburton and Mr. Wakley, which proposed to take a general supervision of the profession, including the chemists and druggists?—So many proceedings have taken place since then, and so many Bills have been still-born, that I have a very dim recollection of that Bill. I remember the Anatomy Bill, that great and useful Bill of Mr. Warburton's.

30. Do you remember a Bill subsequent to the one to which I allude, which was introduced by Mr. Hawes in the year 1840?—I remember the fact of the introduction of a Bill by Mr. Hawes, but no more.

31. Do you remember that a communication took place between the chemists and druggists and the College of Physicians on the subject of that Bill?—I remember there were interviews between the chemists and druggists, then recently established as the Pharmaceutical Society, and the College of Physicians.

32. Do you recognize that as being a document proceeding from the College; perhaps you will have the kindness to read it (*handing the same to the Witness*)?—“The committee appointed by the College of Physicians to confer with the different bodies interested in a reform of the profession, received a deputation of the chemists and druggists, on the Bill introduced into the last Parliament, and at the same time intimated a proposition, which had been acceded to by the College, to form a Board for the examination of chemists and druggists, jointly with the Apothecaries Society, to which proposition the deputation objected. Satisfied as the committee are that in any legislative enactment for the better arrangement of the profession, an examination of all chemists and druggists who are to dispense medicines will be insisted upon, the committee appointed by the College will be happy to receive and consider any definite proposition for that purpose which the deputation from the chemists and druggists may be enabled to propose. College of Physicians, 14th October 1841.” Signed “*Francis Hawkins, M. D., Registrar*,” and addressed to “The Deputation of Chemists and Druggists, &c. &c.”

33. You recognize that as an authentic document?—Certainly; I remember now the general proceeding.

34. Do you recognize that as another communication shortly after (*handing a paper to the Witness*)?—“College of Physicians, 27th November 1841. The Royal College of Physicians of London has received from the council of the Pharmaceutical Society an address, and an outline of a plan for the education and examination of chemists and druggists, &c. The College is sincerely desirous that chemists and druggists, on whom such large responsibilities rest, should not dispense medicines without being previously examined. But the College must have further time to consider how this may be best effected, with due attention to the privileges conferred by charter upon other bodies at the same time, having the most earnest wish to assist the chemists and druggists for the general good of the profession and the public. In conclusion, the College begs to add that the committee charged with the duty of conferring with other professional bodies is proceeding with the inquiries and negotiations in which it has been engaged, and hopes at no distant period to be in a position to answer more fully. (Signed) *Francis Hawkins, M. D., Registrar*.”

35. You consider that those two communications are an official acknowledgment by the College that an education and examination of chemists and druggists is essential?—Certainly.

36. Have the College taken any steps to carry out the views expressed in those two documents between that time and the present, which is 10 years ago?—For some years after that period, I assisted very little in the proceedings of the College, in the debates and discussions. Latterly, for the last three or four years, I have been in closer attendance, but I am not aware that any active steps upon this particular matter have been taken since that; our attention has been since then engaged more largely with subjects and inquiries relating more immediately and closely to our particular interests as physicians.

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M. D.

30 March 1852.

37. It is stated in one of those documents that such measures as might be adopted must not interfere with the existing privileges of any of the present corporations. Can you conceive that any interference of that sort could take place by the fact that the body of men who now are constituted as chemists and druggists should undertake the examination of the future members of their body; could that interfere with any existing privileges of any other body?—Not if the examination was confined to members of their own body.

38. Confined to any persons who wished to embark in business as chemists and druggists, having no medical subject introduced into their curriculum?—I do not conceive that it would interfere with any other body. I suppose the profession would object to medical men being examined by chemists and druggists.

39. Mr. *Bouverie*.] Should you say that an examination in botany, *materia medica*, and pharmaceutical and general chemistry and toxicology would trench in its operation upon the privileges of the medical bodies as at present constituted?—Supposing the examination, as I understood the question from the Chairman, to be confined to persons practising for carrying on the business of pharmaceutical chemists, I do not conceive that it could possibly trench upon any of the privileges of medical men individually or in corporation.

40. *Chairman*.] It has been urged as an objection to the proposed Pharmacy Bill, that it contemplates placing in the power of what is called a private society the examination of future chemists and druggists; do you agree in that objection?—The society would be no longer a private society, I presume, if a charter were granted, and the Bill passed empowering the society to act.

41. You are aware that the charter was granted to the society in 1843?—Yes.

42. Is not every institution small in the beginning, increasing by degrees; for instance, was not the College of Physicians, looking back to the year 1511, a very small society when Henry the Eighth first started it?—Very small.

43. If the objection which is now raised against this Bill had been raised against giving powers to the physicians of that day, would you ever have had a College of Physicians?—It is difficult to answer that question.

44. I merely wish to show the analogy between the origin of the chemists in their association, and the origin of the physicians in theirs, and in the same way with respect to the College of Surgeons, which you are aware was originally combined with the barbers; would the argument which is now brought forward against this Bill have been applicable equally to giving powers to the barber surgeons, and giving powers to the physicians, who were examined at that time by the Bishop of London and the Dean of St. Paul's?—*Mutatis mutandis* with a very large margin, I should say the analogy holds good.

45. Are you aware of what the pharmaceutical chemists have been doing within the last 11 years for the purpose of raising their standard of qualification; have you attended their meetings?—I have some of them.

46. Have you seen the Transactions of the society?—From month to month.

47. Have you any idea from that of the nature of the means which they are adopting for the purpose of improving the qualification of their members?—I have watched the birth, progress, and proceedings of the Pharmaceutical Society with very great interest, and with very great thankfulness; and at no time have I failed to express my sincere gratification, and my admiration of their labours, their science, their skill, and especially of the national purpose which the Pharmaceutical Society has had in view; I conceive that already it has been of the greatest use to the profession of medicine—of the greatest use. As far back as 1843, which was two or three years, I think, after the institution of the society, I took occasion, or rather, I could not help expressing my opinion in a little work which I published at the time, that the only real progress made in medical reform up to that date (1843) was in the establishment of, and the increasing prosperity and the exertions of, the Pharmaceutical Society.

48. Is the Pharmaceutical Society large enough to form an adequate representation of the chemists of the United Kingdom?—I cannot speak to the number, but my impression is, that it is; I may mention, in answer to that question, that in a little run down to Derbyshire some three or four years back, I saw in the village, or hamlet, or market town, or whatever it is, of Bakewell, the diploma of the Pharmaceutical Society, made very prominent in a shop window, and great importance seemed to be attached to it, and I have repeatedly heard

of



of its members in many parts of the country; I have always been pleased when I have so heard.

49. Then from what you know of the society, do you believe it was established for a public object; that it was not a private clique, but was intended to comprise the whole body of chemists and druggists, and to introduce a general reform into that branch of the profession?—I am under that full impression, and always have been.

50. Do you believe that this Bill is not intended simply to confer power on a private clique, but that a private society was established for the purpose of engrafting the Bill upon it, from what you have heard?—I believe so, without any reserve.

51. And from what the society has done already, as a voluntary society, do you consider that it is as fit to receive additional powers as the surgeons were at the time that the charter was conferred upon them, separating them from the barbers?—I conceive it to be more fit than any society or any body of men now existing for such additional powers.

52. Would you, as a physician desirous that your patients should be protected from ignorant persons compounding your prescriptions, feel that there was a security conferred upon you in that respect by the power that the society is applying for?—I should feel it a very great comfort, and a very great relief to my conscience, if I knew that that society educated and examined men for pharmaceutical chemists. I, and every physician, must feel humiliation, more or less, in knowing that our prescriptions are left on the table, and go out, it may be, to where the butler or the lady's maid has a friend round the corner; that very little note is taken of the way or of the person by whom the prescription is to be prepared, or of the risk of the prescription being, not only not equal to what the prescriber intends, but being worth worse than nothing, mischievous; the difference in the quality of the medicines, or in the care and in the mode of compounding, having amounted in many instances to a serious matter; not so much of late years, from, as I believe, the establishment of this society, which has induced a much more careful inquiry, and much more attention to the subject of medicine; but it is very painful to me, and it must have been very painful to every physician practising with a feeling of honour in his profession, that there is little or no security for the prescription being properly carried out; it would be a great relief to my conscience, if I may so express it, were this remedied.

53. *Mr. Bouverie.*] Is that in respect of the quality of the medicines, or in respect of the competency of the person who makes up the prescriptions to measure out the quantities of the medicine and compound them together properly?—With respect to both points. I perhaps may be allowed to say, that in the course of my censorial official inspection of the medicines in the city of London, I have come upon such incidents as these: I and my colleagues have found in a shop in the City a widow woman, with a baby in her arms, dispensing medicines, her husband having died two or three months back, and the woman depending for her sustenance and that of her child upon a little miserable shop. I made careful notes at the time, which I have looked at this morning, and, with respect to one material of which we all know something, under the common name of cathartic extract, which is known to the Chairman and myself as compound extract of colocynth, it appears from the note which I made in one of my visits that I found in every shop but one, where inquiry was made for it, that extract very hard and very black. In the only shop in which there was an exception to this hardness and blackness, it was very soft and very mouldy. That is a combination of medicine which is in daily, hourly use by prescription.

54. Is that a proof that the quality of the medicine in those cases was very bad?—Yes.

55. *Chairman.*] Had it the characteristic smell of the extract?—It was pronounced bad in every way; so hard that it could not be made into pills, and very bad.

56. *Mr. Bouverie.*] In what way would the operation of the Pharmaceutical Society secure a perfect quality in the drugs which they would dispense?—It would give a great additional guarantee in the first instance, but I do not believe that it would ensure a continuance of good drugs and good composition without inspection; frequent, constant inspection.

57. The mere examination as to the educational qualifications of a pharmaceutical chemist would not secure that point which you consider so desirable?—

*J. A. Wilson, Esq.,*

*M. D.*

30 March 1852.

It would give a good start, and in many instances would secure it for the rest of time. But human nature falls away, and unless there were constant inspection, the advantage would not be so great as it should be to the public.

58. *Mr. Ewart.*] Would it not ensure it, in so far as that it would enable the chemist himself to be a better judge of the medicines in which he dealt?—It would establish a better standard of education.

59. A man being educated in pharmacy would be a better judge of the drugs in which he dealt in purchasing them?—Certainly.

60. *Chairman.*] You think that honesty is an important question in addition to qualification, and that until you can make men honest no examination in the world would be quite efficacious?—In that I agree.

61. But do not you think that a man who is a qualified chemist would be more likely to respect his own character, and to prepare his medicines well, than one who is totally ignorant?—I do, certainly.

62. Do you not consider that the improvement which has taken place, and is continually progressing, in chemistry and pharmacy, makes it additionally requisite that those persons who practise pharmacy should be educated; the question refers to the discovery of the essential principles of vegetables, of alkaloids, and other substances, which are very dangerous in the hands of ignorant persons?—Certainly.

63. Do you remember a deputation of the Pharmaceutical Society to the College of Physicians, in which the question was discussed as to appointing a joint Board of Examiners?—I was not one of the committee of the College at that time. I remember, generally, that there was a conference of that kind.

64. I believe you are aware that several plans have been proposed for forming joint Boards of Examiners, and that the conferences which have taken place have resulted in no plan being adopted?—It has been so.

65. And that in consequence of that the Pharmaceutical Society appointed a Board consisting of pharmaceutical chemists, and that they have been conducting examinations ever since?—Yes.

66. Do you think that, in the absence of any better examination, that examination is desirable?—I have not attended the examinations instituted by the pharmaceutical chemists; but from the character of the society, and from my personal knowledge of the leading members of that society, I have no doubt but that the examination is thorough and searching, and gives security.

67. Referring to the history of other bodies, is it not the case that examinations are always commenced in a less severe manner, and are less stringent than they become afterwards; have not the examinations of the College of Physicians very much increased in stringency since they were first instituted?—Yes.

68. And from what you know, is not that the case with the Apothecaries Society?—I know it to be the case with the Apothecaries Society.

69. Is it not the proper course to begin with the thin end of the wedge, and to increase the stringency of the examinations as the body conducting them gains influence, and the public become prepared for it?—In my opinion that is the best method to pursue.

70. Do you see any objection to giving powers under an Act of Parliament to the Pharmaceutical Society as the examining body for pharmaceutical chemists?—I see no objection.

71. I believe you are aware that the council of the society has informed the College of Physicians, that they would be very happy to see any members of that body at any examination, in order to convince the College that the examinations are properly conducted; that being so, do you think that would be such a society as the College of Physicians ought to be satisfied with for the proper conduct of the examinations?—I think it would be so.

72. And with regard to abuses which might exist in the society, do you think that the general supervision of the Secretary of State, with regard to bye-laws, would afford sufficient security against abuse; and if those two plans were adopted, would you feel that there was no risk in intrusting the powers desired to the Pharmaceutical Society?—Provided the Home Secretary were not too busy; but I should rather fear that he might hardly find time for the supervision of the Pharmaceutical Society in the present state of public business.

73. Would you feel that there was any risk in leaving those regulations to the character of the society, which it would be their interest to sustain by introducing  
and



and maintaining proper regulations?—I would leave them with the utmost confidence, from what I know of the society, collectively and individually. *J. A. Wilson, Esq.*  
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74. In the same way that the College of Physicians feels a pride in sustaining its character, you would consider, that if confidence were placed in the chemists they would feel an equal pride in that respect, and that that would be a security to the public against abuses?—Yes.

75. Mr. *Bouverie*.] Are you authorized to speak on the part of the College of Physicians, or are you merely giving your individual opinion?—I am speaking individually. I have not been authorized. I am the senior censor of the College at this time.

76. You have had great experience of course in the medical profession; are you prepared to say that there is incompetence generally now on the part of those who prepare the prescriptions of medical men?—Not generally. I should not say generally; but there are still many sad exceptions.

77. Have you found in the course of your professional practice such incompetence operating injuriously to your patients?—I found in my last visit to the shops, some four or five months back, the duty returning to me with my present censorship, certainly an improvement on the whole; but I found some sad deficiencies, sad carelessness and deficiencies in the city of London.

78. I wish to know how any examination as to the personal knowledge of the dispenser of medicines can secure a good quality of the drugs, or the carefulness with which he should make up the prescription?—The examination would relate especially, I conclude, to his knowledge of the quality of drugs, and practically to his power and readiness of manipulation in compounding.

79. How does his knowledge of the quality of drugs and his skill in manipulation secure his subsequent attention in making up prescriptions, and his honesty in supplying his customers with good drugs?—It would not secure it if he fell away; if he lost his honesty and his self-respect it would not secure it; but I cannot fancy any beginning at all without an inquiry of that kind.

80. Were those shops, which you speak of as having inspected, what are ordinarily called chemists and druggists' shops?—Yes, chemists and druggists, for the most part.

81. In the city of London?—In the city of London.

82. Is that duty of inspection performed very extensively?—We make three visits in a year. We go to, it may be, 8 or 10 or 12 shops in the course of each visit, each afternoon that we devote to it.

83. Was that practice of visitation habitual, or has it been recently introduced?—It has been habitual and perpetual since the 32d year of Henry the Eighth; I do not believe we have ever failed.

84. Do you think that inspection is calculated to secure the good quality of the drugs vended by those persons?—The inspection is not sufficiently frequent, and not sufficiently extensive; I should say it rather worries the few who are subjected to the visit, than secures a general improvement. I think the principle is good.

85. Judging from the fact, that for 300 years this inspection has been going on, and that the quality of medicine is such as you state, it is reasonable to infer that the inspection hitherto has not been productive of a very good result?—It would be very difficult to make a computation, but I believe it has been of some use; I have no doubt that it circulates amongst those gentlemen in the city, that they are subject to this power, and are liable to the exercise of it from one hour to another; they never know when we are coming.

86. Have you any knowledge whether any of those gentlemen whose wares you have inspected are members of the Pharmaceutical Society?—I believe that they are; I think I may say, certainly, that in my last visit I saw the diploma of the Pharmaceutical Society.

87. Did you observe any gratifying superiority on the part of the member of the Pharmaceutical Society in his drugs?—I cannot speak to that.

88. Mr. *Ewart*.] Do you think that the improvement remarked by you in the city would have been greater if the censorship exercised on the part of medical men had been seconded by superior education on the part of the chemists?—Certainly.

89. Mr. *Bouverie*.] In the course of your practice, not as censor, but in your medical practice, in prescribing for your patients, have you practically found very great incompetence on the part of the tradespeople who have prepared your prescriptions;

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scriptions ; have you had reason to suppose from the medicines which you have seen supplied to your patients, that they have not properly fulfilled their duties as chemists and druggists?—I very frequently taste my physic ; but we seldom know much about our prescription after it is written, for this very disagreeable reason, that we are repeatedly asked, “Where do you wish this to go? Do you recommend any one in particular?” And such is the public opinion of our high feeling, honour, and morality, that we dare not answer the question ; we dare not say, take it to the great establishment in the next street, or in the same street, in the fear, I am ashamed to hint at it, that it may be supposed that we have what is called an understanding with the chemist ; so that we really do not inquire, and we do not look after our prescriptions as we should do ; we have very little security, and certainly I have had reason very often to believe that the prescriptions have not been carefully followed out.

90. By the compounder of the physic?—By the compounder of the physic ; or that the material has been of an inferior quality ; and I am sure that must be the case from what I know of the great difference of prices ; in some of the stock medicines, a difference of 50 or 60 per cent.

91. Is not, after all, the most important point the quality of the drugs supplied in making up prescriptions, speaking generally?—No ; in many prescriptions now the importance of the compounding would be equally great. The preparation of extracts, for instance, requires the nicest possible care. There is the difference between utter uselessness, and so far superfluous mischief, on the one hand, and the greatest virtue that the drug is capable of, from the difference of the mode of preparing the extract, on the other.

92. You think, on the whole, that it is desirable that some further steps should be taken to secure the educational competence of the chemists and druggists generally throughout the kingdom?—Indeed I do.

93. Have you looked at this Bill now before the Committee?—Not of late. I have seen it, and I ran my eye over it some little time back, but I have not studied it in detail.

94. Can you suggest to the Committee how you would propose to secure that competence on the part of the compounder of medicine which you desire?—The examination, in the first instance, should be stringent and practical, I should say, in the highest degree. The person examined should be required in the laboratory to show his readiness in manipulation, and, in my opinion, the Bill should be followed up by an arrangement for continual or for frequent inspection of the drugs, and inquiry as to the skill of the compounder.

95. A recurring inquiry as to the skill of the compounder?—Yes.

96. Has it occurred to you how it would be possible throughout this great country to carry on such an inspection?—There would be great difficulty in detail, and some objection. On the last occasion of my visit in the City as censor, we found two or three gentlemen very restive indeed ; they were entirely ignorant of the Act, and objected, very naturally, to the irruption of six or eight persons into their shops in business hours. One very respectable man really almost disputed our right of entrance until certain Acts were quoted to him. There would be difficulty.

97. Do you contemplate, under such a state of things as you propose, that the persons so examined and qualified should have the exclusive right of compounding medicines and selling drugs?—That is a very difficult question to answer. I hardly see how you could give an exclusive right to those only who had been examined, knowing how scattered our population is ; and there would be a cry, and with very great reason, of monopoly.

98. *Chairman.*] Are you aware that this Bill does not contemplate anything of that kind?—I understand, that by a recent alteration of the Bill, or the omission of a clause, it does not contemplate any exclusive trading monopoly.

99. *Mr. Bourverie.*] How would you secure that the dispensing of drugs and the sale of medicines should be really carried on by those qualified competent persons, unless you gave them the exclusive right of selling and compounding drugs?—I should depend, as the Chairman has suggested, very much upon the additional guarantee which their self-respect would bring ; their self-respect, as more educated intellectual persons, and as occupying a higher position, in the best sense of the word, in society, and associating more with men of science, associating more pleasingly with medical men, that, I should say, would be a great guarantee.



guarantee for the improved morals of the body, as depending upon improved intellect. *J. A. Wilson, Esq.,*  
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100. What further advance would you make towards that in the present position of the Pharmaceutical Society by a Bill such as this, not giving them a monopoly?—I again recur to my statement, frequently I believe made, that I cannot conceive a good beginning without a power vested in some society of examining and approving. I perhaps may be allowed to say that I think we and the public, or the medical profession as part of the public, should gain a good deal by the association of these gentlemen together, and their intercourse being more frequent and more scientific; they would hold companionship with each other, and improve each other by such intercourse.

101. Have you seen the charter of the Pharmaceutical Society?—I have not; I cannot speak to it at all.

102. Are you aware that it is in that charter declared that the Pharmaceutical Society “shall consist of persons to be called members thereof, and that such members shall be chemists and druggists who are or have been established on their own account, or who shall have been examined in such manner as the council of the said society shall deem proper, or shall have been certified to be duly qualified for admission as members;” are you aware that such is the nature of the membership of the society?—That was my general impression.

103. So that it would appear that this society, under their charter, professes to examine such gentlemen as wish to become members of it in that profession, and to give them a diploma?—Yes.

104. That diploma, as I understand from you, would be a guarantee to the public that the qualifications of the persons possessing it were superior to those of ordinary chemists and druggists?—At the time of giving the diploma.

105. I want to know in what respect then this Bill, confirming that charter, and giving no exclusive right to the members of this society of compounding and selling drugs, advances a step further in the way of giving that guarantee than the charter which has already been granted to the society?—I think the Bill would give a much higher status to the society if it became the law of the land. I conceive that the society would be very much more respected as a society, with Parliamentary privileges, powers, and existence.

106. It would gain additional dignity?—Yes, I think dignity, the dignity of a public body. It would make a great difference, in my opinion, in the prestige, and in the respect generally in which the body would be held, were it possessed of a Parliamentary title, according to my ideas of Parliament.

107. Mr. *Ewart*.] Was the College of Physicians established by Act of Parliament?—The College of Physicians was established by Act of Parliament.

108. And the College of Surgeons?—By a charter.

109. Was the Apothecaries Company?—The Apothecaries Company was; they have their Act.

110. Mr. *Bouverie*.] You have been a long time in the profession, and you will be able to tell us whether there has not been generally, both in the medical profession and in the knowledge of chemistry, apart from that part consisting of compounding and preparing drugs, a very great improvement in the last 25 years?—Very great indeed; whether more people live or are killed I cannot undertake to say, but very great improvements have been made in the extent of the study, and in our view of the importance of the details of that study.

111. And the general qualifications of the different branches of the profession, including the chemists and druggists as the humblest branch, have been very much improved within that time?—Very much improved.

112. You are not satisfied with the prospect of a continued improvement of that kind, but you wish to give a little fillip to the chemists and druggists by such a Bill as that proposed by the Chairman?—We look at the chemists and druggists, be it always remembered, not only for supplying that which we know and believe to be efficacious in medicine, but such has been the progress in science that we look for improvements, as yet unheard of, from day to day; and we look to them especially for further improvements in many of the more delicate and essential preparations of medicine.

113. Irrespective of any such society as that to which we have been referring?—We look and hope for further improvement.

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114. *Chairman.*] With respect to the restrictions under this Act, you have stated that you think it would be rather a questionable proceeding to restrict any person from selling drugs, unless he was examined. Are you aware that this Bill does not go so far as that, but that it merely restricts persons from assuming a name to which they are not entitled; that they are not precluded from selling drugs; but that the object is, that all persons wishing to carry on business in a regular way should come forward to be examined, and that that would create a distinction between them and other persons who sold drugs without having any qualification at all, which distinction would protect the public?—I believe it would be so in course of time.

115. It must be a work of time?—It must be a work of time; the public would know nothing about the matter for some years.

116. It would take some time to establish the character of the chemists who had been examined, and by that time the public would recognize the distinction?—I think so.

117. Do you think it possible by any means that could be suggested to create a sudden revolution in any body; must it not be a work of time?—It must be a work of time in this country, having no dictator.

118. Do you think that although this Bill does not go to the full extent of creating an absolute monopoly, yet it would be a step in advance by giving a recognized qualification to persons who in future would pass an examination and assume a name which would denote that they were fully qualified?—I believe such would be the effect of the Bill.

119. That it would have a tendency to improve the qualification without at the same time having the objection of creating an entire monopoly?—I believe it would give a much higher standard to those examined, and that even those who were not examined, who did not come before the body in the first instance, would find it necessary to play up to that standard.

120. The anticipation of the examination would induce all to study, and even those who were not examined would study more than they otherwise would, to keep pace with their brethren?—Yes, I believe that the effect would be to raise the chemists and druggists.

121. *Mr. Ewart.*] By the 11th clause of this Bill, all chemists who present themselves for examination are to be examined in the Latin language, I understand; do you approve of that?—Certainly; it is quite necessary.

122. I mean that the examinations are to be conducted in Latin?—Not *viva voce*, I conclude. The day after to-morrow I shall be examining physicians in my capacity of senior censor; within the last three years we have dropped the *viva voce* examination, which used to be conducted entirely in Latin; we test them in Latin translation. As to the estimation of chemists in foreign countries, I may be perhaps allowed to mention a circumstance which marks their estimation in Paris. In 1827, it was the year of Mr. Canning's death, I was then resident there as a travelling fellow of Oxford, and it was very desirable that Mr. Canning should have some good quinine, which was new at that time, and an urgent message was sent to me to procure the best quinine that could be procured for Mr. Canning, who was at Chiswick. Mr. Canning being a great favourite at Paris, having been there shortly before, I went at once to the Institute, which met on that day, and there I found two or three of the best pharmaceutical chemists of the day merely attending the business of the Institute; the business of the Institute really stood still for a time, the anxiety was so great that Mr. Canning should have the right quinine, which was sent off by the *malle poste* that night.

123. The French had discovered a manner of preparing quinine that we had not?—Quinine came from them.

124. *Chairman.*] I believe a great many of the discoveries in chemistry have emanated from abroad among the pharmaceutical chemists of France and Germany?—I believe I may say the greater portion.

125. Do you attribute that in a great degree to the superior preliminary education they undergo, which gives them all an opportunity of carrying it out by their own industry afterwards?—I believe so, by their higher education.

126. *Mr. Deedes.*] To what cause do you say you attribute the improvement which you state you found in your last inspection?—To the general improvement forwards; but very much indeed, in my belief, to the increased attention that has been given to pharmacy, in consequence of the existence, the undertakings, the publications,



publications, and the exertions of this same Pharmaceutical Society. I believe it has had great influence here in London. *J. A. Wilson, Esq., M. D.*

127. Do you consider that the improvements, for the reasons you have given, are likely to increase?—Yes.

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128. But not sufficiently to satisfy you without the assistance of some such measure as is contemplated by this Bill?—We in science are never satisfied with one chance if we can get two; if we can improve our chance, we like to do so.

129. I understand you to say that you do not contemplate that any measure of this kind should give an exclusive right to chemists and druggists to carry on their profession; you do not indulge any hope of seeing a monopoly?—That is a question for a statesman to answer rather than myself. I see great difficulties there, and with my interest for the advancement of pharmaceutical science, I should deprecate greatly any clause in the Bill which would give or would appear to give a monopoly in the trade.

130. How then would you prevent the recurrence of the difficulties of which you now complain?—They could not be prevented at first; we must take it with an allowance.

131. In fact, that case which you complain of, where in your recent visit you found the widow of a chemist, with a child in her arms, dispensing drugs, could not be prevented and would not be prevented by such a Bill as this?—Allow me to say that that incident was in 1830, in my former visit as censor; this year I have not met with anything so gross as that.

132. But there is no reason why you should not, and it could not be prevented?—No, unless there was a system of continual inspection, which would shame them.

133. Is the frequency of the inspection limited by the Act under which you visit?—No, it is not limited.

134. With whom does the frequency of the inspection rest?—With the censors of the College of Physicians.

135. Is there any reason why it should not be exercised more frequently?—The great and predominant reason is, that at this end of the town we are busy with other matters, and it requires the better part of a day, which cannot be spared by four physicians, all in practice at this end of the town, more frequently than two or three times in a year; the term in the Act by the by is, that once in a year at least it should take place.

136. Is that carried out strictly?—There are three or four visits in the year.

137. Mr. Farrer.] Can you inform the Committee what proportion of the practising chemists are subject to this inspection?—Those only within the city of London, within Temple-bar and the East-end.

138. What is the per-centage inspected?—That I cannot tell you. All those within the city of London are liable to it; we pounce upon them unexpectedly.

139. But the number is uncertain?—The number is uncertain.

140. That case of the woman and the child is an exceptional case?—It is an exceptional case.

141. In the course of your experience have you ever met with any instance of similar grossness?—Not with a widow with a baby exactly, but with a boy left in charge of the shop, or an ignorant assistant, a case equally gross. I would rather have trusted the woman with the baby than some of the boy assistants.

142. Would you not be afraid, that in the event of your prescriptions being taken to persons whose business was managed by boys and young people, the compounding of the drugs might be such as to damage your professional character?—Certainly.

143. I understand you to say, that you are not in the habit of recommending your patients to take your prescriptions to any particular dispensing chemist?—Never.

144. Mr. Hindley.] But would you feel the same particular delicacy in recommending your patients to take a prescription to a member of the Pharmaceutical Society?—If every chemist was a member I should say, "Take it anywhere; you are safe."

145. But if they were not all members, would you feel any delicacy in recommending them to take it to such a member of the profession, because all you want is to secure its being compounded by a person of education and competence?—There might be a person in the next street who was a chemist by instinct, by

*J. A. Wilson, Esq.,* taste, who might be equally competent with a member of the Pharmaceutical Society, and I should feel a delicacy certainly in interfering.  
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146. *Mr. Jackson.*] You would feel less delicacy in saying to your patients, "Take my prescription to one who is a member of the Pharmaceutical Society," than you would in interfering now?—Certainly.

147. Especially if there were four or five in the neighbourhood, you would say, "Take it to either;" you would not have the same delicacy?—I do not know how that might be; certainly my bias would be in favour of a person whom I knew to have education as his claim to preference.

148. *Mr. Wyld.*] What class of those who are now exercising the business of chemists do you consider would be entitled to be registered without a fee by this society, supposing such a measure to pass?—I really have not given my attention to that question.

149. May not any chemist who is actually practising that calling at this moment apply to be registered without a fee?—There must, I conclude, be a large admission, in the first instance, of persons with what are called vested rights in the trade. I suppose they could not be subjected to a stringent examination.

150. Do you understand that every person who is at the present moment in Great Britain exercising the trade of a chemist and druggist, on application with a certificate that he had so exercised the trade, would be entitled to be registered?—I have not given my attention to the Bill in detail sufficiently to know what the clauses are in that respect.

151. If that should be so, and there are a number of chemists in this country who are not equal to their business, would not they in that case become registered?—I suppose so; the public must take the consequences of their own neglect and indifference upon the subject for so many previous years; you cannot ruin all the old chemists and druggists; you cannot drive them from the trade.

152. Then the impression on your mind is, that all persons exercising at the present moment the profession of chemists and druggists in Great Britain would be entitled to be registered?—I conceive that vested interests must be respected.

153. Therefore, in point of fact, if there are bad chemists, those bad chemists would be registered?—The bad chemist would be registered; but the bad chemist would in all likelihood find it his interest, and find it necessary, to engage, as an assistant, a younger man, a member of this society, one approved on examination; I conceive the difficulty would in a great measure be met in that way.

154. Have you any notion of the number of chemists and druggists in Great Britain?—Not at all.

155. You consider this as a scheme for exercising some control over the whole body?—Over the pharmaceutical chemists and druggists.

156. You consider the real object then of this Bill is to absorb in that pharmaceutical body the whole mass of the chemists and druggists in Great Britain sooner or later?—Yes, sooner or later.

157. Assuming that it is not the object of this Bill to give the chemists and druggists any monopoly, can you explain in what way the pharmaceutical chemists will stand better than they do now, beyond the mere fact that it is proposed to have a statute?—To what period of time does that question refer?

158. In what way will the pharmaceutical chemist be benefited by the passing of this Act; what privilege will he have that he has not at this present time?—I think he would have a higher status in society as a man of science.

159. But whence is that higher status; where is it to come from?—I think an Act of Parliament always gives consequence to any persons concerned with it, or acting under its privileges and powers.

160. But they now have a charter, and they have the power of examination, and they do examine under their present charter; in what way does this intended measure carry those points further?—By, as I said before, the prestige, in a great measure, of an Act of Parliament; I think it would prevent opposition in their own society; I think it would prevent party spirit among themselves, and I think it would prevent another rival society being set up.

161. *Chairman.*] Would not the fact, that no person could in future call himself a pharmaceutical chemist, restrict the trade of a chemist to qualified persons, as soon as it came into complete operation: the Bill does not establish a monopoly in the sale of drugs, but it establishes a restriction against persons who



who are unqualified calling themselves pharmaceutic chemists: would not that create a superiority in the qualification of pharmaceutical chemists; so called, by the time the Act came into full operation?—It creates an immediate difference. The senior members of the society, and the great pharmaceutical chemists of this metropolis, I do not conceive would gain anything. Their position is as high as it can be as men of science. I do not believe they would gain anything, known as they are as the great pharmaceutical chemists of London.

162. Mr. *Ewart*.] Is there not one thing proposed by this Bill which can only be done by an Act of Parliament, that is, that a penalty is imposed upon those who assume the title of pharmaceutical chemist without the diploma of the society?—Yes; and there is the real difference; there is the power.

163. Sir *H. Willoughby*.] Then the only advantage which you think chemists will derive under this society by this Bill is, that they would be entitled to the name of pharmaceutical chemists, which nobody else could take, except under a penalty?—I have hardly read the Bill with a view to consider the advantage which chemists would gain individually and collectively. My replies would apply to the advantage gained by my own branch of the profession, and by the public as suffering patients. I really hardly know what the chemists might consider an advantage or not; but I see a direct advantage in the privilege of calling themselves pharmaceutical chemists, which is withheld from those who do not pass an examination—an advantage which I conclude would be appreciated by those who hold the privilege, and by the body generally.

164. So that your view is, that all the chemists and druggists of Great Britain should be subject to examination?—If possible; sooner or later they would be.

165. Would not any measure that falls short of that leave the grievances, such as they are, where they are?—To an extent and for a time; that being the result of laches, of bad legislation, or no legislation in former years.

166. But do you believe it possible that any enactment could pass the Legislature which should take within its grasp all the chemists in Great Britain?—Not immediately.

167. But in any point of view do you consider it possible that any measure could have that effect?—Prospectively I believe they would all come in sooner or later; with the improved means of transit in getting up to London for their examination, I think they would all find it worth their while to come in.

168. Assuming that to be done, how would you provide for certain places, of which there are thousands in the kingdom, in which there are no chemists and druggists; how would you provide the population with the means of getting the ordinary medicine where there are no chemists and druggists established?—The village apothecary would be there, who would get his medicines from improved sources. The Bill, as I understand it, does not interfere with the exercise of the medical faculty, which admits pharmacy as one of its branches; the medical man, the apothecary, would be there with his drugs.

169. But would you positively prevent the sale of any species of drugs by anybody except the village practitioner or the chemist and druggist?—No; I would prevent it under the title, as the Bill contemplates, of a pharmaceutical chemist without the diploma, but I should say that certain drugs must be sold and must be procured, and there must be the facility to procure them, such as a pennyworth of Epsom salts, and so on.

170. Then do you consider it impossible to prevent the sale of common drugs universally?—As far as my attention has been given to the subject, I should say it is impossible to prevent the sale of certain drugs universally.

171. Could those drugs be enumerated and put in the Schedule?—I think they might, liable to a margin, to alteration, and extension. We discover new drugs which are wanted from time to time.

172. Are you aware, in fact, that the grocer in a small village very often sells the small drugs?—Constantly.

173. And you think it impossible to prevent the sale generally, or to give a monopoly to any class of people of the sale of such drugs?—I believe so; I believe if a chemist and druggist, as we all know, in certain small villages, were to start, he would not pay his quarter's rent if he depended upon selling the cheaper and the less important drugs, and those only; independently of marking ink, tooth-powder, gun cotton, and this, that, and the other.

174. Mr. *Hindley*.] But this Bill would not prevent any grocer from selling drugs, provided he did not assume the title of pharmaceutical chemist?—I under-

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stand so, provided he does not assume the title or proclaim the *affiche* of pharmaceutical chemist.

175. Sir *H. Willoughby*.] There is another point to which I wish to call your attention with respect to the effect of the Pharmaceutical Society, assuming it to exist with the privileges as stated; would it have any effect upon the other branches of the profession, in this way; would it by any possibility, induce chemists to become practitioners in their own houses?—I believe that they would become less and less practitioners over the counter, as it is called. They are practitioners now to a great extent in many instances, and very reprehensible the practice is; and by none, I believe, is it more deprecated than by the leading members of the Pharmaceutical Society. But I believe if their station was raised as pharmaceutical chemists, if they were recognized under an Act of Parliament as a scientific body, with a real chartered and Parliamentary existence, they would be less and less inclined to meddle with the practice of physic, to tamper with what they know little or nothing about.

176. Mr. *Ewart*.] In fact, it would secure a division of labour?—I believe so, though not entirely, because if a groom, for example, had swallowed “boot-top stuff,” or “stuff for cleansing saddles,” by mistake, and then his friends rushed into the chemist’s shop, and said, “Give me an antidote for oxalic acid,” how would it be possible to refuse it; or how would it be possible, on Saturday night, if a farmer’s man asked for a good strong dose of physic to take the next morning, to refuse that?

177. Sir *H. Willoughby*.] Then, in point of fact, you consider that more or less it is inevitable that the chemists and druggists should practise physic?—To that extent, inevitable.

178. Do you conceive it possible to limit that power in any way through the Pharmaceutical Society?—I think, with reference to this very Bill, the establishment of that society, as I before said, would do more to limit it than anything, by making the chemists better pleased with their position as scientific chemists.

179. Mr. *Ewart*.] You have stated, in answer to several questions, that this Bill does not secure you against incompetency on the part of the chemists; but would it not in your opinion render incompetence much more unlikely?—It would render it much more unlikely in process of time.

*John F. South*, Esq., called in; and Examined.

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180. *Chairman*.] YOU are President of the Royal College of Surgeons?—Yes.

181. And you are a Professor of Surgery in St. Thomas’s Hospital?—Yes.

182. You have given some attention of course to the education which is requisite in the several branches of the medical profession?—Yes.

183. Do you consider that the proper method of securing efficient education is to enforce an examination?—Yes.

184. You have an examination in the College of Surgeons for persons who practise surgery?—Yes.

185. But you have not an Act of Parliament similar to that which is possessed by the College of Physicians?—No.

186. It is a charter?—Yes.

187. Has that charter been so often recognized in other Acts of Parliament, and also by public opinion, that it has acquired the force of an Act, or nearly so?—No; the examination of our college is entirely voluntary; no one is compelled to come up to pass in order to practise as a surgeon; yourself, or any other gentleman at this table, may put “Surgeon” on his door and practise surgery, and the College has no means of preventing it.

188. Do you not think that the fact of persons who have not your diploma being deprived of certain privileges tends to send a very large majority of surgeons to your institution for examination?—It does so, especially with reference to surgeonships to gaols, and I think to poor-law unions.

189. Then is it your opinion that it is desirable, so far as it may be found practicable, to enforce an examination in every case in which the health and the life of the public require it?—Most undoubtedly.

190. Then you consider it is rather a defect in your institution that you have not that power which some other institutions have?—Yes; I conceive that it is so, and some years ago a Bill was about being brought into Parliament for the purpose



purpose of making it compulsory for all persons to come up for examination who intended to practise surgery.

191. Do you think that the same necessity exists for an examination in the case of those who dispense your prescriptions, as exists in other branches connected with the medical profession?—I do.

192. I believe the College of Surgeons professes, in its corporate capacity, to pay no attention to pharmacy?—None.

193. Therefore you are entirely dependent upon the qualifications of those who dispense your medicines?—Entirely so.

194. Some of your prescriptions are dispensed by apothecaries?—Yes.

195. But of course a large proportion by chemists and druggists?—Yes.

196. Is it your desire as a body that those chemists and druggists who dispense prescriptions should pass an examination; do you think it would be a protection to yourselves, in respect of your credit, and tend to secure the safety of the public?—I can hardly reply in reference to our profession as a corporate body upon that point, but I can state that a petition has gone before The House from some of the leading members in my own branch of the profession, who are members of the Council of the College, which shows it is our opinion that it would be very advisable there should be such an examination.

197. Have you any disposition to make a joint Board with the chemists for such an examination; would you consider it within your province to do so?—No; we should not consider it to be within our province at all.

198. Do you consider that it is the province of the College of Surgeons to take any part in examination upon pharmacy; do you think it comes within their legitimate province?—Certainly not, according to our charter.

199. According to the correct definition of the term “surgery,” would it imply that the body representing surgery should also represent pharmacy?—No.

200. It would require a different term altogether?—Yes; a knowledge of pharmacy would only come in as other collateral sciences, chemistry, botany, and the like, in the professional acquirements of a surgeon.

201. Have you taken any interest in the various medical Bills which have been introduced within the last 30 years?—Within the last 10 years I have been in the council of the college, and during the time when Sir James Graham’s Bill was under consideration; and then we had the National Institute; and at this present time there is a proposition for a Bill, prepared by Sir Charles Hastings, Chairman of the Provincial Medical and Surgical Association, but which has much the same objects in view as those formerly urged by the National Institute.

202. Do you think that a division of labour is desirable in the profession?—Certainly.

203. And that advantage would arise from a body being recognized by law as representing the department of pharmacy?—Certainly.

204. Do you think that by that means discoveries in pharmacy, and improvements in preparations, would be more to be expected than would be the case if the persons practising pharmacy were also medical practitioners?—Yes, because such persons would be able to give more time to it than medical practitioners usually have the opportunity of doing.

205. From the fact of the medical practitioner being engaged in visiting his patients, he is not able to attend to the laboratory and to pharmacy?—Certainly not.

206. Do you consider that the state of the law in reference to pharmaceutical chemists is satisfactory at the present time, seeing that any person, whether he is a tinker, or a footman, or a coachman, whatever he may be, if he can get money enough to start a little shop, can assume the title of pharmaceutical chemist?—Certainly not.

207. Do you think it is the duty of the Legislature, in cases affecting life and health, to have a supervision over matters of that description?—Yes, I do.

208. Have you heard of the proceedings which have been taken by the chemists during the last 11 years, with the view of raising their qualifications, and of becoming an educated body?—Yes, I have.

209. Do you generally approve of those proceedings?—Yes, very sincerely; very fully.

210. Do you think it is desirable, fair, and proper, that the chemists should have the management and examination of their body?—I think so.

211. Would you consider it an essential in that examination, that they should

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be combined with other bodies, or that they should be under the control of other bodies; or do you think that in the same way that you have the control of your own body, the Society of Chemists ought to have the control of theirs, and to have the responsibility of keeping their profession in the state in which it ought to be?—I should think so, because every man ought to know his own business best.

212. There has been some opposition to the proposed Pharmacy Bill from certain bodies in Scotland, the College of Surgeons of Edinburgh; do you think that a college of surgeons could fairly complain of the chemists improving their qualifications provided the enactments of the Bill excluded from its operation all the licentiates of that college?—No, I should think not; I do not see how it could interfere with them in any way.

213. And you would probably think that the same observation would apply to any other medical body which might have a sort of control over pharmacy in reference to its licentiates, a body which examines general practitioners; do you think they would be interfered with by a body strictly pharmaceutical, and having no medical qualification whatever?—That is rather a difficult question to answer; there is no reason why they should be interfered with; but still circumstances might occur in which they would be interfered with.

214. If a clause in the Bill contained a strict provision that the Bill was not to affect, or in any way to prejudice, any of the bodies enumerated, or the licentiates of those bodies, could the medical profession, as a body, or any one of its corporations, be injured by pharmaceutical chemists being better educated than they are now?—It seems not to me.

215. Then do you think it is desirable, for the safety of the public, that an improvement should take place in the education of pharmaceutical chemists?—Yes, certainly.

216. And ought that business to be entrusted to a society which might be broken up any day, at the caprice of the members, if they happened to get tired of it, or should there be some Act of Parliament to perpetuate its operations?—I think it desirable that there should be an Act of Parliament to perpetuate its operations, precisely as it was found necessary, some years since, to have the Apothecaries Bill passed, in order that there might be an examination for general practitioners.

217. Was not one of the leading objects of that Bill to examine all dispensers of medicine originally, apothecaries having been at that time the chief dispensers of medicine?—I think it was intended rather to ensure the examination of men who were to follow general practice.

218. Was not it intended to include pharmacy as well as the practice of medicine and surgery?—Yes, so far as general practitioners were concerned.

219. Then, so far as you have been able to give attention to the subject, you consider that an Act for regulating the qualification of pharmaceutical chemists is desirable for the benefit of the public, and for the security of the profession against ignorant persons, who otherwise might prepare their prescriptions?—Yes, I think so.

220. With regard to the restrictions in such an Act, do you think it would be a sufficient restriction, and calculated to produce a very good effect, if no person were permitted to call himself a pharmaceutical chemist unless he had passed an examination; do you think that would operate as an inducement to make persons who wished to follow the business undergo an examination?—It would be so for persons coming into the business hereafter, but it could not interfere with those who are in it already.

221. I believe it is not usual for Acts of this kind to have a retrospective operation?—No.

222. And therefore whatever improvements were produced would come into operation by degrees?—Yes.

223. Mr. *Bouverie*.] You stated, what is the fact, that the surgeons have no exclusive privilege of practising surgery. A great body of the surgeons, however, of England have the diploma of the College, I believe?—A considerable number of persons calling themselves surgeons are either only licentiates of the Apothecaries Society, or have not any qualification whatever.

224. Do you think that the greater number of those who practise surgery are not examinees of the College?—I doubt it very much.

225. You think it desirable that the College should have that exclusive privilege conferred upon it?—Yes.

226. Then



226. Then, by analogy, I presume you would think it desirable that the chemists and druggists should have a similar exclusive privilege conferred upon them?—Yes, I do.

227. Then you would not be satisfied with an Act which gave them no such exclusive privilege in the dispensing of medicines and selling them, but merely authorized the body to examine persons who wished to call themselves chemists and druggists?—No; I think that would be of very little use; the object is not merely to raise the position of chemists and druggists, but it is to protect the public from medicines being improperly supplied and being improperly prepared and made up by ignorant persons.

228. You think that could not be secured except by giving them an exclusive monopoly in preparing and selling medicines?—I do not call it a monopoly, or see how it is a monopoly, any more than the privilege of the lawyer or other professional man.

229. You would call it an exclusive privilege?—Yes.

230. And without that exclusive privilege you think it is comparatively useless to give them the right of calling themselves pharmaceutical chemists?—I think so.

231. Then if that is the object of the Bill, you think that it is hardly worth the consideration of Parliament?—I do not read the Bill so; the last clause of the Bill seems to me to give that right.

232. Then you approve of this Bill as conferring an exclusive monopoly?—No, I do not admit any such word as monopoly.

233. Then you approve of the Bill as conferring the exclusive privilege of vending drugs?—If a person is educated for a particular branch of science, and undergoes an examination to prove that he is competent in that branch, I consider he ought to have all the privileges attaching to it; and that, I believe, is the object of this Bill.

234. Exclusive of all other persons?—Exclusive of all other persons.

235. And that upon the principle upon which you stated in your answer to the Chairman, that in cases of life and health, the Legislature should exercise a strict supervision, in order that nothing should be sold which should be injurious to the public?—Yes, as far as it is capable of doing so.

236. Would you carry that to the extent of exercising a supervision and examination as to the preparation of articles of food?—That is done already; I believe that anybody who adulterates bread is punishable at law, a butcher selling bad meat is punishable at law, and a man putting improper ingredients into his beer is punishable at law.

237. Do you have an examination of the brewer, the butcher, and the baker?—You have an examination of the article.

238. Then would it satisfy you, if, instead of giving an exclusive privilege to any class of persons to exercise this trade, you made it a penal offence to sell an adulterated article, or to make up medicine not according to the prescription?—As to making up medicine not according to the prescription, this Bill, I presume, as far as it can be managed, is to prevent uneducated persons from making up medicines, and who are liable consequently, from their ignorance, to make continual mistakes with unadulterated articles, which, in consequence of their unadulteration, are still more powerful, and render the danger from their use greater.

239. You are aware that the penalties of this Act are attached not to any person dispensing or vending medicines improperly, but to his assuming or using the title of “pharmaceutical chemist,” or exhibiting any sign, or token, or emblem implying that he is a person registered under this Act. The Bill says, “The term ‘pharmaceutical chemist,’ used in this Act, shall be construed to include ‘chemist and druggist,’ ‘dispensing chemist,’ and every other term denoting a dispenser of medical prescriptions and vendor of medicines.” You are aware that it is to the assumption of the title, and not to the doing of the act, that the penalty of the Bill applies?—He would hardly assume the title without doing the act, because the assumption of the title is presumptive evidence of his intention to do the act.

240. But would not he do the act without assuming the title?—No, I think not.

241. If I call myself a grocer, and sell physic, and make up drugs in a country town, shall I not be doing the act?—Then, at this present time, you are liable to be punished for it.

242. For selling physic?—I beg pardon, I am mistaking the point; no, there is nothing to prevent anybody; a horse leech or a cow doctor may sell physic,  
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and make up physic, if people are foolish enough to apply to them for it; the law does not prevent it.

243. That, you think, it is very desirable to prevent?—That, I think, it is very desirable to prevent.

244. You perceive that the assumption of the name of “pharmaceutical chemist” will not prevent any such acts as those?—No, but I perceive in the last clause of the Bill the words are, “a dispenser of medical prescriptions, and vendor of medicines;” that will include the grocer if he do put up “chemist,” or “druggist,” or “vendor of medicine;” if, in fact, he does sell it as a chemist, he comes under the clause.

245. Then I understand you that it is as giving the exclusive privilege of vending and compounding drugs that you give your approbation to the Bill?—Certainly.

246. And you would consider it an unsatisfactory Bill if it did not do this after examination?—Certainly; it would be incomplete.

247. *Chairman.*] Then your objection to the Bill is, that it does not go far enough?—Yes.

248. Are you aware that objections have been raised by some parties that it goes too far?—Yes.

249. *Mr. Jackson.*] Do you believe that there is a preponderance of good, as far as circumstances will allow?—Yes; it goes as far as we can at present.

250. You consider it as the stepping-stone to more good?—Yes.

251. *Mr. Deedes.*] I think you said that at one time there was a Bill brought in to enforce the examination of surgeons?—No; the Bill I refer to was in preparation, but was never brought in.

252. Why was it abandoned?—Because Sir James Graham went out of office.

253. It never came into the House?—No, I think not; it was only under discussion before the College of Physicians, the College of Surgeons, the Apothecaries Society, and the general practitioners, who were proposing to have an establishment of their own.

254. Have you never since had any authority from the College of Surgeons to proceed to bring about such a state of things?—It was only part of a large measure, still under consideration.

255. *Sir H. Willoughby.*] Have you read this Bill?—Yes.

256. Do you understand it to intend to establish a monopoly of the sale of drugs in any class of people?—If you like to call it a monopoly; but I do not admit that term.

257. The real meaning is, that they are the only people to sell?—Yes; I fully understand that, with the limitations I have already made.

258. That is, that the sale of drugs is to be limited to a class of parties who are to be called “pharmaceutical chemists”?—Yes; and proved to be qualified.

259. Who are to be qualified by a certain examination?—Yes.

260. Do you apprehend that that is to absorb the whole trade in medicine in Great Britain?—It must, at present.

261. That is, it will absorb it in the first instance?—Yes, in the first instance.

262. And, in fact, prevent all other parties from exercising that trade, unless they come to this society?—Yes.

263. And you consider that end to be attained by this Bill?—Yes, as far I can understand it.

264. That being the case, how do you propose to deal with the question of the supply of the necessary drugs in small places?—I suppose such things as castor oil, and rhubarb, and salts, and so on, would be permissible to be had anywhere.

265. Is not salts specially one of those drugs in which accidents have happened?—Yes, very many.

266. Therefore is not one of the very drugs which you have selected one to which exception is to be taken on that account?—No, I think not, because there might be means taken, as has been done with reference to the sale of arsenic; there might be some means taken to distinguish oxalic acid, which is like Epsom salts; it might be coloured, and should not be allowed to be sold without a distinction of colour, so as to prevent the possibility of making a mistake.

267. Then I assume that if you provide that the exclusive sale of drugs shall be vested in this class of people, there must be an enumerated schedule of the drugs which anybody might sell?—Yes; I think some few must of necessity be excepted; it is impossible to avoid that.

268. Then



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268. Then would it not be a necessary part of any such measure that such a schedule should be a part of the Bill?—Yes, I should think it very advisable.

269. If there is no such schedule in this Bill, is it not a palpable defect?—It would be advisable that it should be introduced, I think; but I need not say to you that in going through a subject of this sort, the discussion very often leads to observations of the kind which you have made, and gives rise to the introduction of matters which perhaps at the moment may have been overlooked. I must confess that it had not struck me till you yourself put it, and very appositely suggested that there must be of necessity an exception in the case of those common medicines which people will have, and must have.

270. I understand you to say, that this Bill, as it stands, would give a sanction to parties in the trade who are at the present moment not competent to carry on that business?—I do not see how you can prevent it. When the Apothecaries Act was passed in 1815, all persons then in practice, whether they had passed the College of Surgeons, the only examining body to which general practitioners resorted, or not, were assumed to be general practitioners, and allowed to continue practising, and it was only prospectively that persons were prevented practising, without examination, as general practitioners; the unexamined are fewer of course every year, as they die off.

271. Is “pharmaceutical” a commonly known term?—Yes, and has been for many years past; I believe the first pharmaceutical society existed some 25 years ago, which was rather a convivial meeting—a sort of club.

272. *Chairman.*] There was a druggists’ club?—Yes, there was something of that sort.

273. But it was not an educational society?—Not at all.

274. *Sir H. Willoughby.*] This title of “pharmaceutical chemist” is used in the Bill; and there is an interpretation clause which drags in, under the name of “pharmaceutical chemist,” every chemist and druggist in the country; is not that so?—Yes, I believe so.

275. Can you explain, as a term in the profession, what is the meaning of “pharmaceutical chemist”?—I should say a man who not only makes chemical preparations, but also mixes them together, and compounds them for medical purposes; that is what we understand by the term “pharmacy;” he is a dispensing chemist and druggist, a person who makes use of chemicals, and mixes them up and compounds them with other chemicals, or with articles in the *materia medica*, and then dispenses them for the use of persons to take by the mouth. A chemist, strictly speaking, is a different occupation—a different term, and used with a different application.

276. Is not “chemist and druggist” the older term?—Yes, “chemist and druggist” is the older term. But, generally speaking, a man called a chemist and druggist is not a chemist at all. Very few chemists and druggists make their own chemicals; very few indeed; they go to the large manufacturing houses; manufacturing chemists, as they are called.

277. *Mr. Ewart.*] Is it not possible that the term “chemist” might be exclusive of the application of the science of chemistry to healing diseases?—Yes.

278. And does not the addition of the word “pharmaceutical” limit the application of the term “chemist” to that part of chemistry which has reference to the healing of diseases?—Yes; he is meant to be a compounder of medicine.

279. The term “pharmaceutical” confines it to chemistry, as applied to the healing of diseases?—Yes. There are many chemists who have nothing to do with that.

280. Liebig is a chemist, but he does not confine himself to chemistry, as applied to the healing of diseases?—No.

281. *Chairman.*] I believe you understand this Bill to be a Bill for the establishment of an educated body of pharmaceutical chemists, but that you admit the impossibility of preventing persons, who are not chemists at all, in small country villages, from selling simple drugs?—Yes.

282. Then, if this Bill recognises those who have passed an examination as being the only persons who are entitled to call themselves pharmaceutical chemists, would not that be a very considerable protection to the public, although they did not have a monopoly in the sale of every kind of drugs?—I think that would be a very great protection.

283. Then, though it does not go quite so far in the way of monopoly, as it has

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been called, as to make it perfect, yet you think it would answer a very good purpose?—Yes, I think it is a great step in the right direction.

284. *Sir H. Willoughby.*] But, in your opinion, it does establish a monopoly?—No, no further than any medical man may be said to have a monopoly; you may term the profession generally monopolists in that sense.

285. But your opinion is, that it does give the right of selling drugs to a particular class of persons?—To the class that ought to do so. It is better to get as much as you can now, and more by and by.

*Robert Brotherson Upton, Esq.,* called in; and Examined.

*R. B. Upton, Esq.*

286. *Chairman.*] YOU are Clerk and Solicitor to the Apothecaries Society?—I am.

287. Consequently you are aware of the constitution and the sentiments of that body?—I think so.

288. You speak as the representative of the Society of Apothecaries?—In answering any question which you may put to me, I will state whether I am expressing what I know to be the opinions of the society; because you may perhaps ask questions as to the opinions of the society which I cannot answer.

289. All matters relating to the interests of the society with regard to any Acts of Parliament are submitted, I presume, to you for consideration?—Yes.

290. You are acquainted with the early history of the apothecaries, I presume?—Yes.

291. About what time did they first obtain a charter of incorporation?—The charter which separated them from the grocers was granted in the 13th of James the First, 1615.

292. When did they begin to assume educational functions, and attempt to make their body an educated body?—They had, for the first time, the authority given to them to examine by the Act of 1815.

293. But prior to that, had they not carried on an examination which operated upon those who thought proper to come for examination; was not there a voluntary examination?—There was a nominal examination upon the admission to the freedom of the society as a municipal corporation; it is one of the guilds of the Corporation of London; and the freeman, upon his admission, was asked to recognize certain drugs, I think.

294. It was not carried out to any great extent?—No.

295. During a few years prior to 1815, was not there a strong effort made by the Society of Apothecaries to introduce a Bill for the purpose of giving them power to examine?—There was.

296. Was not the chief object of that Bill the qualification of persons in pharmaceutical chemistry as dispensers of medicine; was not that the primary object of the Bill?—No, I understand not; but that it was to educate the apothecaries as medical practitioners.

297. By that time they had become medical practitioners?—Yes; and long before.

298. Then though they considered pharmacy as one branch of their occupation, it was not the primary branch?—No, it was not.

299. By that time there were chemists and druggists in existence?—By 1815 there were.

300. They had existed a long time before?—I should say that chemists first appeared, as dispensers of medicine, towards the close of the last century.

301. Did not the physicians establish dispensaries in the year 1697, for the preparation of their medicines, on the ground that apothecaries' bills were rather heavy at that time?—Yes.

302. Do not you imagine that from that time there have been certain parties, emanating from that institution, who have dispensed the prescriptions of medical men, not being medical practitioners?—My impression is, that it is not so; as I said before, my impression is, that the chemists did not appear as the dispensers of medicine, and as compounding the prescriptions of medical men, until a later period.

303. In the year 1794 the apothecaries formed a pharmaceutical association?—Yes.

304. Was not one of the objects of that association to restrain chemists and druggists from dispensing prescriptions, and interfering with what was considered



to be the legitimate business of apothecaries?—Yes, it was ; and that is the reason why I say my impression is, that it was about that time that the chemists and druggists first began to dispense ; it was resisted at that time as a novelty.

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305. There was an establishment in Bloomsbury-square ?—I think there was.

306. Among their complaints they stated that the chemist interfered with the business of the apothecary, by dispensing prescriptions ?—They did.

307. And that some of them absolutely gave advice, which was as bad as their medicines ?—I have no doubt they did.

308. That was a source of complaint by the apothecaries at that time ?—I think it is very likely it was so.

309. Did the apothecaries, by the Act of 1815, contemplate the improvement of their body as general practitioners, and at the same time the restriction of the practice of pharmacy to themselves ?—I believe that was the object in the outset.

310. I believe the movement which originated the Apothecaries Act took place, first, in consequence of a meeting on the subject of the duty on glass ?—Yes.

311. And certain members of that body, who assembled on that occasion, advised the others to take up a more important question, namely, the education of their body ?—Yes, I believe an accidental meeting of that kind gave rise to an organization for more important objects.

312. In the original draft of the Act of 1815 was not it contemplated to include all persons who dispensed prescriptions under the provisions of that Act ?—My recollection is, that it was ; of course, I speak merely from what I have read.

313. Did not a very strong opposition arise on the part of the chemists and druggists against that proposal ?—Yes, that is my recollection.

314. Did not a variety of meetings take place between the two bodies for the purpose of reconciling the provisions of the Act with the views of the chemists and druggists ?—I dare say it was so.

315. Did not that result in a clause in the Act exempting the chemists and druggists altogether from its operation ?—It resulted in the clause which is before the Chairman ; the clause will speak for itself ; the clause does not exempt them altogether from the operation of the Act ; it exempts them so long as they confine their practice to certain specified acts.

316. The 28th section states, “ that nothing in this Act contained shall extend or be construed to extend to prejudice or in any way to affect the trade or business of a chemist and druggist in the buying, preparing, compounding, dispensing, and vending drugs, medicines, and medicinale compounds, wholesale and retail ; ” it proceeds to state, “ but all persons using or exercising the said trade or business, or who shall or may hereafter use or exercise the same, shall and may use, exercise, and carry on the same trade or business in such manner, and as fully and amply, to all intents and purposes, as the same trade or business was used, exercised, or carried on by chemists and druggists before the passing of this Act ? ”—Yes.

317. Has not that clause in a great measure interfered with the intention which the Society of Apothecaries had in introducing their Act ?—I should say not.

318. Did they not intend to have comprised under their provisions the entire dispensing of prescriptions ?—I believe that was the intention in the first instance ; but I thought the question referred to the subsequent working of the Act.

319. I am alluding to that particular clause ; has not that particular clause tied the hands of the apothecaries in restraining improper persons from dispensing prescriptions ?—Certainly ; they have no power to interfere to prevent incompetent persons from dispensing medicines.

320. Have they not attempted frequently to bring that Act to bear against chemists and druggists for acting as apothecaries ?—Yes.

321. And have not they found it inoperative to a great extent ?—Certainly not.

322. With regard to practising as apothecaries, and visiting patients, of course it is not inoperative, but they are not able to prevent any person, however ignorant he may be, from dispensing prescriptions ?—No ; because by law those people are entitled to do so.

323. Do not the Society of Apothecaries think that the office of dispensing prescriptions is a very responsible one, and one which requires education ?—No doubt.

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324. Has not the Society of Apothecaries, in a great degree, left that office in the hands of the chemists and druggists, by becoming medical practitioners themselves; have not the chemists and druggists increased in consequence?—The apothecary himself is a dispenser of medicine, as you are aware.

325. Has not the circumstance of their becoming medical practitioners led to the establishment, in a more distinct form, of a distinct body as chemists and druggists?—I do not feel myself competent to express an opinion upon that point.

326. You are aware that the chemists and druggists have very much increased in number since the period in question?—Yes.

327. And that a very large proportion of the dispensing of the prescriptions of medical men is done by chemists and druggists?—I have no doubt that to a very considerable extent they dispense the prescriptions of physicians, and of what are called pure surgeons.

328. That being the case, do you think there is any reason why they should not be educated and examined?—To perform their proper functions, that is desirable.

329. Has the Society of Apothecaries any objection to the examination of pharmaceutical chemists by their own body, provided that in such examination there is no subject included which involves the practice of medicine?—They have not felt it their duty, as a public body, to interpose any objection to the Bill, provided the subjects of examination are restricted to those which relate to the proper functions of the chemist and druggist.

330. They objected to one word in the curriculum of education, namely, “toxicology,” because they considered that it might imply the medical treatment of persons who had taken poison?—Yes.

331. On being informed that that was not the intention of the framers of the Bill, but that it was merely intended to apply to the chemical science of toxicology, and that the word would be taken out, did the Society of Apothecaries express their intention of offering no opposition to the Bill?—Yes.

332. Then the Committee may understand that there is no objection on the part of the Society of Apothecaries to the chemists and druggists having an Act to enable them to regulate the practice of their own body?—The Society of Apothecaries have no objection to that.

333. The word “toxicology” being struck out?—Yes; I distinctly understood that I had the Chairman’s assurance that it should be struck out.

334. I believe the attention of the apothecaries, in reference to medical reform, has been confined to the improvement of their own body?—Their attention has been primarily devoted to that, but they have been associated with the other branches of the profession in endeavouring to frame a general measure.

335. But their chief object was to improve the qualifications of their own body?—That was their first wish and their first duty, of course.

336. Then I presume they would admit the propriety and the justice of allowing any other body in the profession to have the same ambition of raising the qualifications of the members of that body?—I apprehend that as individuals they would have no objection to seeing every class of Her Majesty’s subjects well qualified to perform the duties which they are called upon to perform.

337. That being the object of this proposed Pharmacy Bill, there is no objection on their part to that object being carried into effect to as great an extent as may be found practicable?—If no other result flowed from the Bill than that, it would be a result to which no person could object. The Society of Apothecaries certainly do not object to that.

338. Considerable contentions, as you are aware, have existed for years past between the apothecaries and the chemists and druggists; do you think that of late years there has been so much feeling of jealousy as there was previously?—I do not know that you can call it a feeling of jealousy. The great objection, I take it, with the apothecaries is, that the chemists and druggists do not confine themselves to their proper duties, but that they attend the sick, which by law they are not authorized to do, nor are they by education competent.

339. Do you think that the education of pharmaceutical chemists in chemistry, *materia medica*, and pharmacy is calculated to increase their propensity for acting as medical practitioners?—I think myself that it is not unlikely to do so; that is my own private opinion; and it must be taken as my own private opinion.

340. Do not you think that by giving a class of men a higher standing in society,



society, and in the profession of a particular sort, they would feel more interested in restricting themselves to that which they can do efficiently, instead of attempting to do that for which they are not qualified?—I am not sure of that, as applied to this subject.

341. Do you think, from what you know of the encroachments upon the Apothecaries Act, that they have been chiefly among ignorant chemists, or among the persons of the more educated class?—I should think, among persons of less education; but in answering that question I have the whole kingdom in view.

342. Upon that, would you not consider, that by improving the qualification of all, you would rather diminish than increase the propensity to do that which is disreputable?—My own private opinion is, that that would lead to an increased practice of medicine by chemists and druggists; that is my own private opinion merely.

343. I suppose you are aware that it is very difficult to draw the line between that which a chemist may properly do in his capacity as a chemist and druggist, and that which he may do which trenches upon the medical profession?—I think that there is no difficulty in defining the line, but there is great difficulty, practically, in keeping them within it.

344. Would you prohibit a chemist and druggist from selling a black draught, or a box of antibilious pills?—I would not, if the law permits him to do so.

345. How would you draw the line?—The business of a chemist and druggist is to sell medicines which he is asked for; but the moment a chemist and druggist applies his skill to symptoms, and recommends a remedy, that moment he steps beyond the line to which the law has confined his practice.

346. Then, according to that, if a patient comes to him and describes the kind of medicine he wants, the chemist is at liberty to give it to him; but if he puts out his tongue and gets him to feel his pulse, the chemist is not at liberty to supply the medicine?—Certainly not; you could not more correctly have defined the line.

347. There would come within that line a great number of cases where a patient may give a general idea of the kind of medicine which he wants, although that patient may be totally ignorant of the ingredients; therefore he may say he wants a fever medicine, or a stomachic medicine, or a purgative medicine?—Yes.

348. Would you consider that a chemist, in preparing that medicine, was exercising his knowledge in the practice of medicine, or merely his pharmaceutical experience as to doses of drugs, and the manner in which they are usually mixed?—I think that a chemist and druggist who professes to treat disease in any way, and who suggests a remedy appropriate to a disease, is trenching upon the province of the medical practitioner.

349. Mr. *Ewart*.] But I suppose he does not trench upon the province of the medical practitioner if he merely gives the man what he asks for, stating his own disease; can you draw such fine distinctions as those?—Draw what line you will, you would always have a class of cases closely bordering on one side of the line or the other.

350. Sir *H. Willoughby*.] The Chairman has asked you as to the case of a box of antibilious pills; suppose a man came into a chemist's shop and asked for a rhubarb draught or a box of antibilious pills, would that come within the limit?—I should say certainly not, because he would then ask for a known remedy.

351. Does not that presuppose that the chemist has compounded and suggested a medicine for a particular disease?—I presume there is such a thing as a rhubarb draught well known, or an antibilious pill; and I should think, if I went into a chemist's shop and asked for an antibilious pill, he would give it me as an ordinary preparation.

352. Would not the making up of that medicine from the formula of the chemist be an infringement of the law, as it now stands?—I think not. If a person goes into a chemist's shop and asks for a rhubarb draught, I do not think that the chemist would break the law by supplying the rhubarb draught; and if a person asked a chemist to give him a box of antibilious pills, I do not think, as the law stands, that he would be breaking the law by selling it.

353. The law would not be broken if they were prepared according to the Pharmacopeia?—Or according to any known formula. But if a person complains of general symptoms, and states what his feelings are, and asks the chemist to give him what would be appropriate to that, then he at once becomes a person treating disease, and acting as a medical man.

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354. I want to know what you mean by saying that it is a defined line; how do you define the line?—Perhaps the Committee will allow me to read one sentence from a summing up of Mr. Justice Cresswell, in which he defines the line. It was in the case of an action brought against a person for practising as an apothecary; and one of the defences was, that he had only acted as a chemist and druggist. It is reported in the second volume of Moody and Robinson's Reports, page 495, *The Society of Apothecaries v. Lotinga*. It had been urged that he had practised as a surgeon. Having disposed of that, the learned judge proceeds: "But then it is said, if he did not supply the medicines as a surgeon, still he did not supply them as an apothecary, but as a chemist. But a chemist is one who sells medicines which are asked for; whereas, if you believe the evidence, the present defendant himself selected the medicines, and determined on which he ought to give."

355. *Chairman.*] That is similar to the definition which you gave just now?—Yes, I intended that my definition should be like that.

356. *Mr. Ewart.*] In fact, he prescribed to a certain extent?—He prescribed.

357. *Mr. Wyld.*] It is contrary to law if he does prescribe?—Yes.

358. *Chairman.*] But if a person goes to a chemist, and asks him to give him a draught, and the chemist says he is not a medical man, and the person says "I know that, but I took a little too much yesterday, and I wish for a stomachic to correct the acidity on my stomach," if the chemist gives him a little draught, is that an infringement of the Apothecaries Act, he doing so as a chemist?—In point of law, I should say that it was.

359. I simply wish, in asking these questions, to show that there is some difficulty in carrying out the law quite stringently, and to ascertain your opinion as to the effect of this Bill in increasing or diminishing that evil?—My opinion is, that no law that could be framed would ever prevent that being done; it is a very difficult thing to say you shall not have liberty to go to that extent.

360. Admitting that there is a fear that in some cases the superior education of the chemists might induce them to practise medicine, or give advice, do you think that is a lesser or a greater evil than that of there being no education at all for pharmaceutical chemists?—I really hardly feel capable of answering that question.

361. Do not you think that every person who dispenses should be educated and examined?—Yes, I think he should be educated, and tested by examination.

362. Then you admit that it is an object of primary importance to educate and examine pharmaceutical chemists who dispense medicines?—"Pharmaceutical chemist" is a title unknown to me except in this Bill.

363. A dispensing chemist, I mean; in your opinion he ought to be educated?—Yes, certainly.

364. And you think he ought to be examined?—I think so.

365. I think you said that there was no objection, that you were aware of, to the examination being conducted by the body to which he belongs?—Exactly; I have expressed no objection to that.

366. You are aware that it was proposed at one time to form a joint Board of physicians and apothecaries to examine the chemists; do you think that such a Board as that would be fair, and that the chemists would submit to that kind of jurisdiction?—The Chairman is much better able to answer that question than I am. I am not aware of the feelings of the chemists and druggists; I am not brought in connexion with that body, and I do not know what their feelings are.

367. You are aware that there has been an antagonism between the two bodies from the fact of their both performing the same functions with regard to the dispensing of medicines?—Not arising from that reason, but from the fact of the chemist and druggist trenching upon the province of the apothecary, going beyond that which is the line of his own proper functions. The right to dispense medicines was, if I may say so, conceded to the chemists and druggists at the passing of the Act of 1815, and there therefore ought not to have been, and there was no reason for any antagonism existing after the passing of that Act; whatever jealousy may have existed prior to the passing of that Act as to chemists and druggists compounding prescriptions, by the passing of the Act was done away with.

368. When you are informed that the chemists, as early as the date of Mr. Hawes's Bill, expressed a most determined opposition and objection to being placed under the jurisdiction which I have mentioned, do you think it better that they should have a Board for examining themselves, or that they should remain in the

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the state of comparative ignorance in which a great many of them are now, for want of any law at all?—I should say it would be better that they should be examined.

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369. With regard to restriction, the Apothecaries' Act restricts any person from acting as an apothecary, but it offers no obstacle to a person calling himself an apothecary, provided he does not act as an apothecary?—No.

370. Do you think that merely preventing a person from pretending to be that which he is not, as in this Bill, would be a milder form of restriction than yours?—I think it is useless; I think from the manner in which it is proposed to restrict the practice of chemists and druggists the Bill is useless; because, if a person chooses to practise as a chemist and druggist he has full power to do so, notwithstanding that Bill.

371. Do you think any person would carry on the business of a chemist and druggist without fitting up his shop, and having the usual insignia of a chemist and druggist, seeing that that is prohibited in this Bill?—I think so; if he desires to avoid the law, I think you will find that the law is powerless in that Bill.

372. Do not you think it would have this effect, that it would bring to the Board of Examiners all those persons who intended to become regular chemists and druggists?—Yes; and they would come, I think, without a penal clause; but I do not think that a penal clause would prevent people from practising as chemists and druggists; I may state that it is not the first time I have had occasion to consider that, because Bills have been introduced, as you are aware, within the last few years, with a view to regulate the medical profession, which adopted that form of penal clause; and I have had occasion to consider the question very much.

373. Mr. *Bouverie*.] The form of the penal clause here is, prohibiting their assuming the name, but not their doing the thing?—Yes; not preventing the doing of the act; so that, as soon as this Act is passed, if I choose to exercise all the functions of a chemist and druggist I am at perfect liberty to do so, if I am only content to give up the privilege of calling myself a pharmaceutical chemist.

374. *Chairman*.] Would not it be a security against imposition upon the public, and would not the public after that be responsible if they chose to go to horse doctors, or to any ignorant persons, for their medicine?—The public are very willing to be imposed upon in all these matters. I am afraid if you trust to that, you will trust to that which will fail you.

375. Mr. *Bouverie*.] Have you been long connected with the Apothecaries' Company?—For the last 18 years.

376. You are their solicitor?—Yes.

377. Then you conduct the legal business of the Apothecaries' Company?—Yes.

378. Whenever they have thought it necessary to attempt to enforce the privileges which the company possess under their Act, I suppose you have conducted the business?—Yes.

379. With regard to the third clause of the Apothecaries' Act, which gives the power to enter the shops of the apothecaries and examine the drugs, has that been practically acted upon by the company?—It was, up to the last three or four years; but within the last three or four years it has not been acted upon.

380. What was the cause of that practice being discontinued?—I think the limited extent to which it could be carried out. For many years the society had confined that supervision to the city of London and its immediate neighbourhood, though their jurisdiction extends to England and Wales.

381. Did the Act give them the power?—Yes; the Act gave them the power.

382. I suppose they felt the difficulty of carrying out such a power throughout the kingdom generally?—Yes.

383. And its difficulty became so great in London, that they were obliged to discontinue it there?—I believe it was discontinued also, from feeling that it was not attended with the amount of benefit supposed.

384. Though it was intended to be enforced with a *bonâ fide* desire to improve the quality of the drugs?—Certainly.

385. Were stringent measures ever taken with reference to removing bad drugs?—No, not within my recollection. Remonstrances were addressed occasionally by the society to the parties whose shops were visited.

386. So that, practically, it has been found that the power of inspection does

*R. B. Upton, Esq.* not work satisfactorily?—It does not work satisfactorily. It was felt to be a domiciliary visit of an objectionable character.

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387. Did you hear the notion which Dr. Wilson entertained, that an inspection was essential for the proper conducting of the business of a chemist and druggist?—I was not in the room.

388. But your experience with reference to the Apothecaries' Company would lead you to suppose, that practical difficulties would make it impossible to conduct such an inspection?—I would hardly say it was impossible, but I think the temper of the present times is opposed to such an inspection, and I think, therefore, that it would not be attended with the advantage which, at first sight, would appear.

389. You have stated that the chemists and druggists have a tendency to trench upon the province of the apothecaries?—Yes.

390. Has that been a subject of much complaint?—Yes, I have become cognisant of that from the circumstance of complaints being directed to the Apothecaries' Company.

391. Have the apothecaries taken any steps to enforce their rights against the chemists and druggists in a court of law?—Yes.

392. And successfully?—Yes; I may mention, that on my way here I had a newspaper put into my hand containing a report of a trial at Rotherham on Friday last upon that subject, and after a trial of four hours, it was decided in favour of the Apothecaries' Company.

393. Your opinion I understand to be distinctly, that if from examination and other circumstances the ordinary qualification of the chemist and druggist were very greatly raised, there would be a still stronger tendency on his part to trench on the province of the apothecary?—Yes, and that is the result of 18 years' experience.

394. *Chairman.*] Then you think it better that they should remain in ignorance than be educated, from the fear of their trenching upon the province of the apothecaries?—I have not said that; I hardly feel myself competent to answer that question.

395. *Mr. Bouverie.*] Are you authorized to express an opinion generally on the part of the Apothecaries' Company as their adviser?—If a particular question be put, I will state whether I have authority to answer for them. I am not authorized to express a general opinion favourable to this measure, but we have not thought it our duty to oppose it, except upon a particular ground, and that has been met by the Chairman.

396. So far as the apothecaries are concerned, they are satisfied with respect to the Bill now, apart from any question of great public interest?—Yes; the only apprehension they had was the apprehension which I have stated.

397. *Mr. Wyld.*] Do not the chemists and druggists throughout the country generally not only dispense medicine, but prescribe?—I think they do so very often "over the counter," as it is called.

398. Have not the Apothecaries' Company had many complaints of that custom?—Many complaints of that custom.

399. Do you know anything of the custom of the profession in France, Belgium, and Prussia?—No, I cannot speak confidently about it; I know that the line is clearly defined.

400. Are you aware that no chemist and druggist in France can dispense medicines without a prescription from a regularly qualified practitioner?—I think that is so.

401. Do not you think that, if greater powers were granted to those gentlemen who call themselves pharmaceutical chemists, the province of the general practitioners would be much trenched upon?—I have stated that that is my opinion.

402. Since the Act of 1815, has not the curriculum of the Apothecaries Company been much improved?—It has.

403. Is not the examination of rather a stringent character?—Yes.

404. Since the period I have named, has not the character of the general practitioners much improved throughout the country?—Very much.

405. Do not you think that an incorporated body like the pharmaceutical chemists would very much interfere both with the profits and the business of the general practitioners, if it were so incorporated?—I think, as the Bill stood last session, there was a very grave objection to it upon that ground; for it was proposed



posed to exclude from the privilege of acting as chemists and druggists, or of calling themselves so, all persons, including the apothecaries and medical practitioners, without the license of that body.

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406. You have had your attention directed, I dare say, to many Bills before Parliament, connected with what is called "The Question of Medical Reform"?—Yes.

407. In your opinion, would it be better to have a general measure of medical reform, than to take up isolated matters, such as this Bill proposes?—If it could be done, my decided opinion is, that it would be better to have one general measure; I think measures affecting particular branches can only be justified by the great difficulties which exist in dealing with the subject as a whole.

408. Do not you think that there ought to be some governmental control if a general body were established, instead of leaving it to the societies?—It is the opinion of myself and the Apothecaries' Society, that there should be a general governmental control.

409. Do not you think this Bill, if passed into an Act, would tend greatly to weaken the desire for a general measure of medical reform?—I do not think that the passing of this Bill would have that effect, because I think it leaves the more important questions untouched.

410. Do not the chemists and druggists throughout the country sell to a great extent what are called "patent medicines"?—Yes.

411. Do you know whether the members of the Apothecaries' Company sell patent medicines to any great extent?—I should think not to any great extent, but there are some.

412. You have perhaps seen the 21st clause in this Bill?—Yes.

413. It is there stated, that all vendors of patent medicines are to be exempted?—Yes, at page 8.

414. Do you think the passing of this Bill will restrict the sale of patent medicines?—I am not competent to express an opinion upon that point.

415. Sir *H. Willoughby*.] You are the solicitor of the Apothecaries' Company?—Yes.

416. What do you understand that this Bill is to effect?—What I understand is this, that it is to appoint a body whose duty shall be to test the qualifications of persons proposing to carry on the business of dispensing chemists and druggists.

417. Do you understand that no party is to exercise the ordinary trade of a chemist and druggist except a party going before this body to be examined?—That is the object of the Bill; if the Bill answers its object, that is it; whether it will succeed will depend upon other questions.

418. Therefore you understand that this Bill is to include everybody exercising the trade of chemist and druggist in Great Britain?—Yes, so far as relates to the business of chemists and druggists, in selling chemicals and drugs for medicinal purposes.

419. Do you understand that by this Bill nobody can sell any medicine except one of that class; that the only party in Great Britain who can sell any drug whatever will be a chemist and druggist registered by this body?—If he aspires to the title of a pharmaceutical chemist; if any person is content to forego that privilege, and to abstain from displaying what are called the "name, sign, token, or emblem, implying that he is registered under this Act as qualified to carry on the business or calling of a pharmaceutical chemist," then the Act does not touch him, as I understand.

420. Then it does not affect all the chemists and druggists in the kingdom?—It affects nobody.

421. Then you consider that this Act is to affect only those persons who aspire to the title of pharmaceutical chemists?—So far as the title is concerned, that is all.

422. Is it not the fact, that many apothecaries dispense medicines?—Yes, they are bound to do so, under a penalty; the Apothecaries' Act contains a clause by which apothecaries are bound, whether they like it or not, to compound the prescriptions of physicians under a penalty.

423. Then, in point of fact, are not the apothecaries of London frequently also chemists and druggists?—They are occasionally, I should say frequently; not those who are moving among the wealthier classes of society, but in the suburbs of this town, and in other large towns, I have frequently seen persons combining

*R. B. Upton, Esq.* the business of a chemist and druggist with that of a medical practitioner or apothecary.

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424. Does the Society of Apothecaries, of which you are the clerk and solicitor, in any way intend to touch that practice?—Not at all; the Bill of last session, introduced by the Chairman, contained a clause which would have prevented legally qualified apothecaries from combining with their profession the trade of a chemist and druggist, unless they submitted themselves to this ordeal, subject to the previous observation, of their being content to forego the title.

425. But the Company of Apothecaries do not intend to prevent that practice?—Certainly not.

426. Not to interfere with the practice of apothecaries in dispensing their medicines?—Oh, certainly not; it is an important branch of their duty, in connexion with their attendance upon the sick.

427. Then, in point of fact the Bill, to which you say the Company of Apothecaries have given their assent, in no way touches that privilege?—I should guard myself there again. The Society of Apothecaries have not given their assent to this Bill, and must not be understood as expressing any favourable opinion upon this Bill; they have not thought it necessary to oppose the Bill, the only objection which they thought it their duty to urge having been met and removed.

428. I understand you to say, with reference to an examination in the branches of knowledge described in clause 11, that in your opinion the tendency of such an examination would be rather to induce chemists to practise medicine than otherwise?—That is my opinion.

429. You believe that they do practise at the present moment?—Yes.

430. Then so far you think it likely to extend that evil?—Yes, I do.

431. *Chairman.*] I think you said, with reference to the 18th clause of the Bill of last Session, that it would have prevented an apothecary from exercising the functions of a pharmaceutical chemist; are you aware that that Bill would only have prevented them from calling themselves pharmaceutical chemists?—Yes.

432. Then it would not have interfered with their functions, but merely with their assumption of the name?—Yes; but I believe there are individuals in this and other large towns who do derive a portion of their means of support as apothecaries from acting as chemists and druggists; and it struck me that it would have been a hardship upon them, having proved their qualifications, to prevent their adding to their professional calling the art or trade of a chemist and druggist.

433. Seeing that that objection is removed, and that the other objection with respect to toxicology is removed; and seeing that on the one hand the promoters of this Bill are assailed with putting too stringent a restriction, and on the other with not making it stringent enough, do you see any course that could be adopted but the mild one of merely organizing a body, which body shall be educated and examined, leaving other persons in the state in which they are now; would not that be securing a harmless measure, though not the stringent one that other parties might require?—My own opinion is, that if it is desirable that the Legislature should interfere at all, it should interfere efficiently; if it is thought desirable that chemists and druggists should be educated, the education should be compulsory.

434. Did you not say you considered it desirable that the general body of persons who are in the habit of dispensing medicines and making up prescriptions should be educated and examined?—Yes.

435. Then is it not desirable to carry out the most efficient measure which can be found for that purpose?—Certainly.

436. Would you object to the measure because it did not go to the full extent of granting a monopoly?—That is a question for a statesman to answer.

437. The question comes simply to this, would you permit an absolute ignorance to exist because of the impossibility of making every person quite as qualified as may be desirable?—Certainly not.

438. You would think a partial remedy better than none at all?—Certainly.

439. *Mr. Wyld.*] In the Apothecaries' Company, have you any benevolent fund for the support of the widows and orphans of the members of that body?—Yes, we have.

440. Are all the licentiates in that body participants in that fund?—No, they are not; it is confined to those who are members of the body.

441. Do



441. Do you think that assigning to a body which has the power of scientific examination, the function of the distribution of a benevolent fund is a proper thing?—I can hardly say; ours is a separate fund altogether; it is not supported by any of the fees taken under the Act.

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442. Out of the fees received by the Apothecaries' Company from their licentiates, do they support the general body of widows and orphans?—No, the fund is from a private source altogether; from private subscription.

443. Do you think that a society which claims to conduct a scientific examination, should be the recipients of the fees, for the purpose of a benevolent fund, paid by their licentiates?—No; I should say that was an objection. If it comes from the fees paid for examination, I should hardly think that a legitimate matter; it is a tax upon the public.

444. The fees received from the licentiates of the Apothecaries' Company are not carried to the benevolent fund?—No.

445. *Mr. Bouverie.*] Can you state what the income of the Apothecaries' Company is from fees for examination?—I cannot answer that question very accurately; but I am sorry to say it is insufficient to meet one of the purposes for which the society is intended, that of checking illegal practice.

446. You are obliged to eke out the funds by the profits on the sale of drugs?—No, they are quite distinct.

447. How do you meet the additional demand?—We are not able to discharge our duties so efficiently as we should if we had more funds.

448. You go as far you can?—Yes.

449. *Mr. Wyld.*] But the examination which the licentiates of the Apothecaries' Company submit to, previous to receiving their licence, has been much improved?—Yes, that is universally admitted.

450. Although their funds are limited, their course of examination is very severe?—Very; it was stated to this House, some years ago, to be higher than that of the physician's was formerly.

451. *Mr. Bouverie.*] Are the expenses of the prosecutions defrayed out of the funds of the Company?—They were, so long as the Society was able to conduct the prosecutions; but their funds are so limited, and the costs of the prosecutions are so large, that they are unable now to conduct those prosecutions; and the county court affording an easy remedy, encouragement is given to those who complain upon the spot to institute proceedings; and the Society assists in special cases with their funds as far as they can, and also assists the parties by giving to them the advice of their law officers.

452. *Mr. Hindley.*] You said that people were very easily gulled in medical matters?—That is my experience.

453. Do not you think that that renders it in some degree necessary to give by this Bill, or some other instrument of the kind, a security to the public that the people practising as chemists and druggists possess sufficient knowledge to carry on their profession?—My opinion is, that it is necessary in these cases to impose an efficient penalty upon persons breaking a law which the Legislature desires should be observed. I think, if you desire to secure to the public well educated medical practitioners, you must not be content with pointing out to the public who are and who are not qualified men, but you must check the practice of those who are unqualified by penalties. That is my judgment; and such is the result of my experience after some years' consideration of the subject.

454. *Mr. Wyld.*] Do you know the course of education or the curriculum of the Pharmaceutical Society for a pharmaceutical chemist?—No, not at all of a pharmaceutical chemist.

455. You do not know the curriculum adopted by the Pharmaceutical Society?—No; I am not aware of it.

456. Then you are not capable of giving an opinion as to the comparative merits of the course of education adopted by the Apothecaries' Society and the Pharmaceutical Society?—No; but I will hand in the curriculum of study enjoined by the Apothecaries' Society, and that will at once enable you to judge (*handing in the same*).

*Veneris, 2<sup>o</sup> die Aprilis, 1852.*

MEMBERS PRESENT :

Mr. Jacob Bell.  
Mr. Farrer.  
Mr. Bouverie.  
Mr. Jackson.  
Mr. Hindley.  
Mr. Ewart.

Sir W. G. Craig.  
Sir H. Willoughby.  
Mr. Wyld.  
Lord Burghley.  
Mr. Deedes.

JACOB BELL, Esq., IN THE CHAIR.

Mr. *John Savory*, called in ; and Examined.

Mr. *John Savory*.

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457. *Chairman.*] YOU are a Chemist, in Bond-street?—Yes.
458. Did you not originally intend to practise as a medical man?—I did.
459. And for that purpose you passed an examination at the Society of Apothecaries?—I did.
460. Did you also study in Paris?—Yes.
461. At the School of Pharmacy?—At the School of Pharmacy.
462. Was there, at that time, any school in this country for the education of pharmaceutical chemists?—None, that I know of; none similar to the School of Pharmacy in Paris.
463. Was there any other, excepting for the education of apothecaries or for medical practitioners?—None whatever, that I am aware of.
464. Consequently, a person desiring to act as a chemist and druggist in an efficient manner, was obliged to go abroad for his education?—Yes, if he wished to be acquainted thoroughly with the profession of a chemist and druggist, as a purely pharmaceutical chemist.
465. Can you give the Committee a general idea of the nature of the education in France?—For a pharmaceutical chemist, first, a young man must take out the degree of Bachelor of Letters, when he makes up his mind to turn his attention to the business of a chemist and druggist; after he has done so he must study for three years. I am speaking of what was the case in my time; I do not know whether it is the case now; I believe it is, with little variation. The first year, I believe, was devoted to materia medica and pharmacy; the second year, to chemistry and botany; the third year, to toxicology, chemical and pharmaceutical manipulations; and then he had to pass an examination upon all those points before he was permitted to open a shop, and style himself a pharmacien.
466. This study was compulsory upon all persons who styled themselves pharmacien?—Yes.
467. Is there also an education for an assistant; is it lawful for an assistant to act as such without being examined in Paris?—There is no law for assistants, that I am aware of.
468. The proprietor of the shop is responsible for what takes place?—He is responsible for everything that takes place. But a young man being brought up to the business of a chemist and druggist, or pharmacien, knows perfectly well that, before he can establish himself on his own account, he must undergo a strict examination; consequently, during the term of his apprenticeship, he pays great attention to that part of his business.
469. Consequently, although the law does not require an assistant to pass an examination, does the law in practice oblige him to do it in order to prepare for opening a shop?—It does.
470. In what respect does the absence of that requirement operate in this country, with reference to apprentices and assistants?—It is the cause of their neglecting their studies while serving their apprenticeship, and consequently knowing little or nothing of their business when they become assistants.

471. Do



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471. Do you think that the fact of knowing that no examination is required causes apprentices to pay very little attention to the study of their business?—I am quite sure of it; I have had pretty well 30 years' experience, and from all I can learn, the want of an examination in this country for pharmacists, or for chemists and druggists, is the cause of young men, during their apprenticeship, paying little or no attention to their business.

472. Supposing an apprentice were desirous of informing himself respecting his business, was there before the establishment of the Pharmaceutical Society any definite course of instruction?—None whatever till the establishment of the Pharmaceutical Society.

473. Consequently an apprentice might be exceedingly desirous of improving himself, and yet he had no opportunity at all of doing so, there being no one to direct his studies?—None whatever; there was no school of pharmacy.

474. Do you find any difficulty in obtaining competent assistants?—I find the greatest difficulty in obtaining them.

475. Have you frequently had occasion to examine 20 or 30 when you wanted one, before you found one who was fully qualified for his business?—I have lately been in want of two assistants, and I have had 40 or 50 applicants, and out of those I found very few who were acquainted with the rudiments of pharmacy or chemistry; they could hardly read a Latin prescription; that is to say, if it was anything out of the common way. I yesterday saw a man of about the age of 40, who told me he had managed a business, and that he was capable of reading any prescriptions. I handed him two prescriptions, and I think it is right that I should show that they contain nothing out of the common way (*exhibiting the same*); he could not read them, not only to the surprise of me, but to the surprise of a gentleman unconnected with the medical profession, who came into my house within half an hour afterwards; we were conversing upon the subject of this Bill, and he could not believe what I had stated, that so many of the young men who had applied for the situations were unable to read prescriptions. I showed him these two very prescriptions, and this gentleman, unconnected with the medical profession, found no difficulty in reading them. It is not merely the reading of Latin prescriptions that I speak of, but that is one important thing. I never take a young man into my house without his passing an examination; it is by no means a severe one. I put prescriptions before them, and if they cannot read those Latin prescriptions, of course I consider at once that they are not qualified to come into my house. I do not, however, rest satisfied with that. I ask them upon the articles in these prescriptions. As for instance, I believe in one of them there is muriate of soda. I say, "Pray can you tell me what is muriate of soda?" The reply is, "It is muriate of soda." "But what is it; can you tell me anything about it; what is its present chemical name?" "Muriate of soda." That is all I can get out of them. "Do you ever see muriate of soda on the table; can you distinguish this salt from any other; is there not a more scientific name for this salt?" To all these questions I cannot get an answer; they know it to be muriate of soda, but at the same time they are ignorant as to its being common salt, and that its present name is chloride of sodium. There are many other of those articles there, but I merely give this as one instance.

476. Mr. Ewart.] How long in chemistry has the term muriate of soda been applied to common salt?—For many years.

477. And yet these practical chemists do not understand the common name?—I cannot call them practical chemists; they are only assistants. If I were to put that question to any of the young men coming from any part of the Continent, they would answer me at once. I should state, that I have myself had assistants from all parts of the Continent. I have had Frenchmen, a German, an Italian, and I have at this moment a Hungarian. I have had even a Turk in my house last season, and I will venture to assert that every one of those could read these prescriptions. I have at this moment a Frenchman, a Hungarian, an Italian, and I will back them against the generality of English assistants. I will not condemn every one, but I speak of the majority of those in this country.

478. Chairman.] Have you for a long time felt that some improvement was requisite in the education of chemists and druggists?—I have for many years.

479. Did you in the year 1830, or about that time, make an endeavour to introduce an improved system?—I did.

480. Did you draw up a memorial and take it to various chemists for the purpose of obtaining their signatures?—I did.

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481. To whom was this memorial proposed to be addressed?—To the House of Commons.

482. There was a petition?—There was a petition.

483. Praying for what?—Praying for an examination of all persons calling themselves chemists and druggists.

484. Did the chemists and druggists at all respond to your desire at that time?—Very few indeed.

485. Had there been previously to that time any disposition amongst the chemists and druggists to unite for any purpose of improvement?—None whatever.

486. Had they not generally opposed every Bill which had been introduced into Parliament which affected them in that way?—They had.

487. Did you find it quite impossible at the time to bring about any union or organization for that purpose?—I found it quite impossible.

488. At the time that Mr. Hawes's Bill was introduced, did not a meeting take place which brought them together?—Yes.

489. Did you not, in connexion with other leading chemists in the metropolis, consider that a favourable opportunity for making another attempt?—I did.

490. Was that your motive for joining with the others?—Yes.

491. You did not care so much for Mr. Hawes's Bill as for the opportunity of bringing about an improvement?—Yes; the opportunity of bringing about an improvement in the education of young men of this country, and for their placing themselves upon the same footing as young men abroad.

492. Was the establishment of the Pharmaceutical Society the result of the meeting which took place at that time?—Yes.

493. Was the object of that society the improvement of the education of pharmaceutical chemists?—Yes, it was.

494. With the view ultimately of obtaining an Act of Parliament?—Yes.

495. Were you the president of that society?—I was.

496. Who was the first president?—Mr. William Allen, of Plough-court.

497. I believe he was one of the most eminent chemists in his day?—Yes; he was really and truly a chemist.

498. Who was the second president?—Mr. Payne, of St. Martin's-court.

499. He had been brought up originally as an apothecary?—Yes.

500. Were you the third president?—Yes.

501. I think you were president for two or three years?—Two years, I think.

502. When the society was formed, were there not several communications with the medical bodies, with reference to the appointment of a Board of Examiners?—Yes, several.

503. Did a communication take place with some of the members of the University of London?—Yes.

504. Under the impression that some assistance might be obtained and a joint Board formed?—Yes.

505. Did that endeavour prove ineffectual?—It did.

506. Did other communications take place with other bodies; with the College of Physicians, for instance?—There were several communications; I believe there was a communication with the London University, with the College of Physicians, and with the College of Surgeons.

507. And did all those communications end in the conclusion that it was impracticable to form a joint Board of Examiners?—Yes.

508. In consequence of that conclusion, have the Pharmaceutical Society established a Board of their own?—Yes, they have.

509. Did they, in the first instance, make the examination of a lenient character on account of its being a preliminary examination?—It was perfectly lenient.

510. With the view of introducing gradually a superior examination as education improved?—Yes; in proportion as the means of instruction were more extended and complete, the severity of the examination would increase.

511. Did that board consist exclusively of pharmaceutical chemists?—Yes, It did.

512. Was the reason for so constituting it the fear that if learned professors were added to it, it would intimidate young men, and prevent the operation of the Board?—Yes, that was the fear, I believe.

513. Was



513. Was not it always the intention of the society to increase the stringency of the examination, and to appoint learned professors upon the Board so soon as they should receive power from an Act of Parliament?—Certainly it was.
514. Until they had received that power, would not you have found that Board inoperative by frightening away those whom it was the intention of the Board to attract, if it had been differently constituted?—To a certain degree it did frighten a great many students.
515. Will you give the Committee an idea of the kind of examination which is passed by the students?—I think this paper will pretty well explain it (*handing in the same*); there is one for an apprentice, one for the minor examination, and one for the major examination.
516. There are three examinations?—Yes.
517. The examination of an apprentice is merely a lenient one?—It is merely a classical examination of whether he has been at school, and learned Latin; it is not even Greek, which they have at the Apothecaries' Company, I believe.
518. What is the object of the minor examination?—Merely to ascertain if the assistants are qualified; it is principally for assistants.
519. Is a paper filled up by the examiners, of which this is a copy; the name of each examiner being put in one column, and the qualification of the candidate in the other?—It is.
520. With the different heads?—With the different heads.
521. "Prescriptions and dispensing pharmacy, chemistry, and materia medica"?—In all those he passes an examination.

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[The same was delivered in and read, as follows :]

“ PHARMACEUTICAL SOCIETY OF GREAT BRITAIN.

Minor Examination  
Date

Name  
Age  
Where educated

SUBJECTS OF EXAMINATION.	EXAMINERS.	REMARKS.
Prescriptions and dispensing		
Pharmacy - - - -		
Chemistry - - - -		
Materia Medica - - -		

Result.”

522. The major examination is rather more extended, is it not?—It is.
523. It comprises toxicology?—It comprises toxicology and botany; and the examination altogether is of a more stringent character.
524. By toxicology, do you understand the medical treatment of cases of poisoning, or a chemical examination as to the substances employed?—It is merely intended as a chemical examination of the substances employed.
525. Was it intended, in introducing that word, to imply any medical science whatever?—None whatever; I believe it to be the business of a chemist merely to attend to the chemical tendency of toxicology, and not to the medical tendency of it.
526. Do you consider, in cases of poisoning, where the delay of a few minutes may be of the greatest importance, that the chemist, being a person frequently applied to, ought to understand, chemically, the composition of poison, and its antidote?—Certainly.
527. So that he might be able to furnish the antidote?—Certainly.
528. After a medical man has arrived, has the chemist anything further to do with it?—Nothing whatever; it is his business to give it up to the medical man.

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529. Was that always the intention of the Pharmaceutical Society in introducing the word toxicology?—Yes.

530. Has the Pharmaceutical Society carefully endeavoured to avoid everything in their education which should at all trench upon the medical profession?—They have.

531. Has it not been their object to avoid the example of the Apothecaries' Society, in making the class of persons to whom they refer, medical men?—Yes.

532. Do you consider that it is advantageous to have a class of persons devoting their exclusive attention to the business of chemists and druggists, who are not medical men; that the business is likely to be more effectually carried out by persons who are not medical men, but who devote their exclusive attention to it?—I do.

533. Do you think that the Pharmaceutical Society has tended to promote that object?—I think it has, and done a great deal of good.

534. Do you think it has in some degree diminished the jealousy which previously existed between chemists and medical men?—I think, certainly, on the first appearance of the Pharmaceutical Society, there was great jealousy between medical men and chemists and druggists; but now that jealousy, I think, is dying away.

535. Do you think the scientific meetings of the society, to which medical men were invited, had a tendency to produce a good feeling between the two parties?—I do.

536. Do you think that when the medical men saw that the chemists were endeavouring to improve themselves in pharmacy and chemistry, and that they excluded altogether the idea of becoming medical practitioners, it induced the medical profession to favour the Pharmaceutical Society?—I do. I have had an opportunity of speaking to a great many medical men, and I believe every one I have mentioned it to are in favour of this Bill.

537. Do you remember a deputation which waited upon Sir James Graham, in December 1841?—I remember there was such a deputation.

538. Do you remember Sir James Graham inquiring of the deputation whether they desired a charter of incorporation?—I believe he did.

539. Do you recollect the deputation replying, that they look forward to making such a request, but that they wished, in the first instance, to establish their claim to it, by carrying their intent into more complete operation?—Yes; I remember that perfectly well.

540. Do you remember what Sir James Graham stated at the conclusion of the interview?—It is so long ago that I cannot say.

541. Did the society find that, so long as they had no charter of incorporation, the medical bodies did not recognise them at all?—Yes.

542. That there was a difficulty in obtaining any kind of recognition or communication from other parties?—Yes, there was a very great difficulty.

543. And was not one of the objects of that interview to induce the Secretary of State to communicate with the president of the society in case of any measure being introduced into Parliament affecting the interests of the chemists and druggists?—That was the object as far as I recollect of the interview.

544. Have several other interviews taken place at the Home Office?—There have been three or four, as far as I recollect?

545. Did all the endeavours of the chemists to obtain the introduction of a Bill by Government prove abortive?—Yes, I believe every endeavour that we made failed.

546. And after Sir James Graham left office did they renew their efforts with his successor, Sir George Grey?—They did.

547. Were those efforts equally abortive?—Quite so.

548. Was any objection raised against the object which the Pharmaceutical Society had in view?—I believe that to every Bill before the present there were great objections; what the objections were at this moment I cannot call to mind, but I know that there were always objections.

549. Mr. *Bouverie*.] You went with the draft of a Bill to the Home Office?—No, I did not go there; I was unwell at the time, but I recollect the circumstance perfectly of the deputation going there.

550. With the draft of the Bill?—Yes.

551. And it was disapproved of?—It was disapproved of, and I believe every one that has been presented has been disapproved of.

552. *Chairman*.] Did the reason apply to the substance of the Bill, or to the time



time at which it was introduced ; had it any reference to the medical reform question?—No, I believe it was to the substance of the Bill altogether.

553. Do you remember this draft of a Bill being prepared by the Pharmaceutical Society in the year 1846, and also in 1847, for regulating the qualification of the chemists and druggists in England and Wales (*handing the same to the Witness*)?—I can remember this being prepared ; and I can remember its being preented.

554. Did the chemists in Scotland object very much to the omission of Scotland from the provisions of the Bill?—Yes, I believe they did.

555. Was a Bill subsequently prepared, in which Scotland was included?—Yes, as far as my recollection carries me, I think it was included in the next Bill which was prepared.

556. Has there been always a difficulty until the establishment of the Pharmaceutical Society in obtaining any organization or union of chemists?—I believe there has always been a difficulty in getting chemists and druggists together.

557. Do you think that they are at present disposed to unite to support the Bill before the House?—I believe they are, as far as I am given to understand.

558. You think generally they approve of it?—I believe they do.

559. Do you think it desirable for the public benefit, and for the promotion of the education of chemists and druggists, that such a Bill should be passed?—I do. I believe it would make a great improvement in the class of assistants in this country ; it would induce them to go through a certain amount of education, in order to improve their minds upon matters incidental to their business.

560. Mr. *Bouverie*.] You stated that you had studied at the School of Pharmacy in Paris?—Yes.

561. What is the nature of that school ; is it a public institution?—It is a public institution supported by the Government.

562. With lecturers and professors?—With lecturers and professors.

563. Are the students practised in making up medicines, or in examining drugs in the school?—They are, qualifying themselves in every department of chemistry and pharmacy.

564. Are all French pharmaciens required to pass an examination in this school before they are allowed to practice in their trade?—Every one of them.

565. Is any one allowed to sell drugs or make up physic except an authorized pharmacien?—No, he must be a pharmacien having passed an examination at the school.

566. Is it requisite for them to attend the school of pharmacy before they can pass the examination, or can any pharmacien come and pass the examination, provided he is qualified, without having attended the school?—No, he must attend the regular course of study.

567. You stated that there was no school in this country before the establishment of the Pharmaceutical Society ; does that society provide any means of education for chemists and druggists in this country?—It does.

568. In what way?—In pharmacy and chemistry ; in fact, in every branch of the business of a chemist and druggist.

569. What is the nature of the provision for that purpose ; are there professors?—We have professors who teach chemistry and pharmacy ; we have also a professor of pharmacy in the laboratory.

570. Do you require those who come for your examination and your diploma to pass through this school, or do you grant the diploma to those who have not passed through the school?—We require them at present to come to the school.

571. So that if a qualified person was to present himself for examination, fully capable of passing the examination, unless he had passed through your school, you would not grant him a diploma?—We should examine him ; and if we found him capable of passing the examination we should give him the diploma.

572. Then you would examine him, and grant him a diploma?—Yes.

573. Do you require any very strict qualification of those lads whom you take as apprentices in your own business?—I have no apprentices now, but in former times all the apprentices that were bound to our house were bound also to the Apothecaries' Company, consequently they were compelled to undergo a classical examination, which I think highly necessary ; for when we consider that the chemist ought to know the etymology and the value of words which constitute the scientific language of his profession, that most of the remedies which he prepares have names derived from the Greek and Latin, that he cannot translate a prescription without a knowledge of the Latin tongue, I think it important that all apprentices should undergo a classical examination.

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574. Who conducts the examination of the society at present; the gentlemen who have taken part in the lectures, or a portion of the governing body?—A portion of the governing body, and other members of the society.

575. You stated that a good deal of jealousy existed at first with respect to the society, but that that jealousy was dying away?—I think it is dying away.

576. Have you found an increase in the number of students, and in the number of the society, generally speaking, in the last few years?—I think there is an increase; certainly there are a great many applications to study in the school of pharmacy.

577. There is the manifestation of a general desire to take advantage of the means which this society offers for education?—I certainly think there is.

578. In point of fact, until the society afforded those means of education there were none for the chemists and druggists?—There were none for the chemists and druggists; there were plenty of schools of education for young men being brought up as general practitioners, but there were no schools for the chemists and druggists.

579. Do you think it necessary in a Bill for constituting the society by Act of Parliament that they should have the exclusive privilege of dispensing and compounding medicines?—I think if they pass an examination, they ought to have the exclusive privilege.

580. That nobody should be allowed to dispense medicines or make up prescriptions but those who had passed the examination?—Yes; I think for the welfare of the public, as well as for the benefit of the physician, and medical men generally, that is desirable.

581. For the sake of securing that those who dispense the medicines are properly qualified?—Yes.

582. Has it ever occurred to you that there is a difficulty with respect to that, in the small country districts where persons dispense physic who carry on several trades under the same roof?—That has frequently occurred to me; and in fact, I know that in many instances, not only men but women dispense medicines.

583. How would you get over that difficulty in country villages?—I see no difficulty; because, if it once becomes the law of the land, that every person who dispenses medicine must pass an examination, that difficulty will in time be done away with.

584. Do you think those persons who now sell physic in small country towns are qualified to pass an examination similar to that of which you speak?—Certainly not, nor should we require them; we only require all those from a certain date to pass an examination; the measure is not retrospective.

585. But taking for the moment the persons of that class who now dispense physic in country districts, do you think they would be able to pass an examination, such as you put the students through in London?—I am quite sure they would not.

586. Do you think it likely that in future times the business in those villages will be sufficient to support persons of those qualifications, and in small country towns?—I really cannot say.

587. Would you prefer that the public should have no means of purchasing physic at all in the country districts, to running the risk of having medicine improperly dispensed, from the imperfect education of the dispensers?—I think there can be no doubt of that.

588. You think it better that the public should get no physic in those places than that they should run that risk?—I think it better they should get no physic than get physic badly prepared, and badly made up.

589. Mr. *Hindley*.] Do you consider that any means ought to be used to secure the good quality of the drugs sold by chemists and druggists?—I certainly do.

590. What would you consider the best means to effect that object?—I think at present it is very difficult. I remember the time when the Apothecaries' Company used to go round to inspect, but there was always a great deal of difficulty about it, and much jealousy. At present I am unable to lay down what would be the best means or the best way of setting about it, but I think it highly necessary that all drugs should be examined.

591. Mr. *Bouverie*.] Do you think any great public object would be attained, supposing the society was established by Act of Parliament, and supposing it had an exclusive privilege of the kind you refer to?—I think in any view there would be a great public good obtained.

592. How



592. How would the exclusive right to the use of a particular name attain a public benefit, the object being to secure the universal competency of dispensers of medicine?—I think that the public, knowing that a man has passed an examination, would feel more confidence in going to his shop.

593. Have they not the means of knowing that now with reference to the Pharmaceutical Society?—I believe the public generally consider that every person keeping a druggist's shop passes an examination.

594. Mr. *Ewart*.] Do persons assume the title of pharmaceutical chemists now who are not pharmaceutical chemists?—They do. I can give you an instance of one 10 or 15 miles away from London, who was a porter in my house, and never had any education, except what he got in my laboratory.

595. Then this Bill would so far remedy that defect?—It would.

596. Would a man by this Bill be prevented from doing so for the future if he had hitherto done it?—No, it is not retrospective.

597. If I place upon my door Pharmaceutical Chemist now, I may continue to do so after this Bill passes?—Yes.

598. Even though it originated in fraud?—Yes; it will not touch you.

599. Mr. *Bouverie*.] How do you propose to secure the good quality of the drugs; by an inspection similar to that of the Apothecaries' Company?—By an inspection similar to that in some way, but of the best way I cannot give an idea. I know the difficulty.

600. Does any mode occur to you of securing the carefulness and attention of the chemist, assuming him to be well qualified by education in making up the prescriptions or in dispensing the drugs?—I think, in the first instance, we should depend upon having well qualified assistants, and consequently the public might depend much more than they do now upon having their medicines properly prepared, and they would have a right to expect, and I have no doubt that they would have, better drugs in the shops in the country, generally speaking, than they have now.

601. In consequence of the examination as to the education and qualification of the chemists and druggists?—I think that it would have that effect.

602. They would become better judges of the quality of the drugs?—They would become better judges of the quality of drugs; at present they are little or no judges.

603. You stated that you had a Hungarian in your shop?—I have one there now.

604. Do you find him well qualified in general knowledge of the business?—Yes; he can thoroughly express himself in the French language, though he knows very little of English.

605. Has he passed any examination?—No, he has passed no examination.

606. What has become of the Turk?—The Turk has gone to Nice.

607. Was he in any way qualified before he came to your establishment?—Not by examination.

608. But in point of education in classical knowledge?—Yes; he studied in Paris; he is now gone to Nice.

609. I think you say you have a Frenchman?—Yes, also an Italian.

610. In comparing the general education of those persons with the same class of persons in this country, do you find foreigners better qualified than the English people?—Yes, I certainly do; I have had foreigners in my establishment now for 14 or 15 years.

611. You have been a long time in business, I think?—Upwards of 30 years.

612. Do you see an improvement in the general education and qualification of the class that you have to do with as assistants?—I have seen a great improvement since the establishment of the Pharmaceutical Society.

613. Was there any sign of improvement of that kind before then?—None whatever; and in consequence of the great improvement in the progress of pharmacy, of course we find much more difficulty in obtaining assistants than we did in former times.

614. You require a higher standard?—We require a higher standard.

615. Do you make a point with your assistants that they should go through a course of study and examination before the society as well as be qualified in other respects before they come to you?—No.

616. How do you think that the establishment of this society has operated to

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raise the general educational standard of persons required as assistants?—I think it has raised the class of assistants by many of them going to the Pharmaceutical Society.

617. You find that they have been in the habit of attending the Pharmaceutical Society before they come to you?—Many of them; and those who have, and have offered themselves as assistants to me, I find, generally speaking, more competent and better qualified than those who have not been to the Society.

618. You said just now that the chemists of Scotland objected to the omission of Scotland in the first Bill which was drafted in 1847?—As far as my memory carries me, I believe there was an objection on their part; they wished to be incorporated with us at that time.

619. Had you the management of the affair at that time?—I and the secretary had.

620. Has there been any communication, generally, with the chemists and druggists in the country about this Bill?—There are several communications even going on now, I believe, at this present moment.

621. Are you able to state that they generally approve of it?—They generally approve of it.

622. Mr. Ewart.] You stated that the French pharmaciens are superior to the English chemists?—Yes; and I do not hesitate to repeat it.

623. Do you attribute that superiority to the examination which the French chemists undergo?—I attribute their superiority to their knowing, in the first instance, that they cannot open a shop on their own account without undergoing an examination, consequently they are induced to study more than the generality of youths in this country.

624. You think it, however, unimportant, that the persons examined should have been trained in a particular school as they are in France?—Yes; I think it is quite unimportant where a man is trained so long as he can pass the examination efficiently.

625. It will suffice, in your opinion, that he undergoes the test of examination, come from where he may?—Yes.

626. You would merely make the chemist and druggist undergo the same kind of test undergone by the physicians, and the surgeons, and the apothecaries?—Yes, with reference to pharmacy.

627. So far it would render the whole practice uniform?—Yes.

628. Is it not very desirable that, in the country towns, where the people are comparatively ignorant, they should have well-educated chemists and druggists to supply their wants?—I think it is quite necessary.

629. Are there not chemists and druggists in the country towns, now, who manage to maintain themselves by their business?—Yes, many.

630. Would they not be more likely to maintain themselves if they were better educated than they are now?—Yes, I think so.

631. Would not that object be attained by the establishment of some such system of examination, as is proposed?—I think so.

632. Sir H. Willoughby.] You say that some of the country chemists approve of the provisions of this Bill?—I believe they do, from all I have seen and heard of them.

633. Can you state what is the number of chemists and druggists in Great Britain?—No, I cannot.

634. Have you any idea?—No, I cannot say; I dare say the secretary can; he has had more to do with them than I have.

635. With what number of country chemists have you in any way communicated?—I am in communication almost every day with some one or other, but I cannot say the number.

636. On the subject of this measure?—On the subject of this measure I frequently have letters, to ask me my opinion, and how forward the Bill is, and various questions touching the subject of the Bill.

637. Can you give me any idea of the extent of your communications with country chemists?—I should say, within the last three or four years, I have had nearly a hundred applications on the subject of this Bill.

638. There are probably some thousands of chemists and druggists in this country?—I dare say there are. It is not merely the communications I have had by letter, but, if I travel by railroad, and fall in with chemists and druggists, the first question put to me is upon the subject of this Bill.

639. Is



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639. Is it your view that there should be some society, whether called pharmaceutical or not, which should have the power of examining all the parties who exercise the trade of chemist and druggist?—That is my opinion.

640. Without exception?—Without exception.

641. Do you contemplate any provision by which anybody who has not been examined should not exercise the trade of chemist and druggist in Great Britain?—I think every one should pass an examination.

642. Would you make it penal in a party who had not been examined to exercise such trade?—Yes, I should.

643. Have you any notion of the expense to a person residing in a distant part of the country, such as Northumberland or Cornwall, and wishing to exercise the trade of a chemist and druggist, in coming for examination to town, supposing he had to come to you for that purpose?—Perhaps between 200*l.* and 300*l.* I throw that out as an idea; I cannot say exactly; I only throw that out, knowing what is the cost of a young man passing his examination at Apothecaries' Hall.

644. He must be resident in London for some days?—Yes; I suppose he would be resident in London for some days; he would come up to London to study if there was no other place for him to study at in the country.

645. You would suppose that such a society should lay down the rules under which that examination was to be conducted, and as to the extent to which it was to be carried?—All those rules should be laid down, so that every one should understand them.

646. Under the authority of the bye-laws of that body?—Yes.

647. Would those bye-laws be subject to revision by any party except by that portion of the body to whom the power was delegated?—I should say they ought to be subject to a revision.

648. By some other body?—By some other body, or by some power or other.

649. Then you would consider that it would be necessary in such a case to have some supervising authority?—Yes, I should think so.

650. You stated that, on previous occasions, on going to the Government, the proposed Bills were objected to?—Yes, they were.

651. Can you state what were the provisions particularly objected to?—No; my memory will not carry me as to what were the objections at the particular time; but they have been stated, I believe, in our Pharmaceutical Journals. The secretary can give you more information upon that subject than I can.

652. Assuming your calculation to be anything near correct, that it would require 300*l.* to pay for the examination of a chemist and druggist, how would you in that case provide for the sale of the ordinary drugs in the small places in Great Britain?—The chemists' and druggists' trade, generally speaking, if the business is small, yields a very small profit; and I am sure I cannot say how he would make up for the expense of passing his examination.

653. Perhaps there are 10,000 places in the kingdom where the population is under 500 or 600, and where there is no chemist and druggist who carries on that trade by itself?—Yes.

654. How would such candidates be able to provide themselves with the ordinary means for obtaining the diploma?—I am sure I cannot say.

655. Have you considered that difficulty?—I have considered it, but I have not been much in the habit of going into those small villages and towns, and, therefore, I have not had the opportunity of seeing them.

656. Is it not true that what might be an admirable thing for towns like this and Edinburgh might be an extremely injurious thing in small localities?—It might to a certain extent, but I do not see why there should be more difficulty in this country than there is in the countries abroad. There are small pharmaciens in small towns there, and they manage to live.

657. But in foreign countries the authorities are much more despotic in those matters than in our own country here?—Yes, it is so.

658. Is not there in foreign countries a system of direct interference by the Government, which does not exist in this country?—There is.

659. Therefore, in point of fact, you have no suggestion to make to the Committee, how in small localities more common drugs could be sold throughout the kingdom?—No, I have not.

660. Do you think it would be possible to frame a schedule, containing a number of drugs, which might be sold like any other commodities, such as groceries?—I think that everything which comes under the denomination of drugs should be sold by chemists and druggists.

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661. Then, again, I ask you what is to happen where there is no chemist and druggist?—I presume there would be a chemist and druggist. There are not many of them now in small villages, and the public have some difficulty in getting medicines.

662. Do not you know it as a fact, that the small shops in country villages generally sell salts and common drugs?—Yes, I believe they do. There are small shops in the country which sell everything.

663. Which they could not do if the system were carried out that no chemists and druggists, except those who had passed the examination of the society, could sell them?—No; they could not do it.

664. Is it then your desire to throw the sole and exclusive power of selling drugs into the hands of a particular class of people?—Yes; it is my opinion that it should be so. All civilized nations, excepting our own, are provided with pharmaceutical institutions, which regulate the sale and preparation of drugs and the education of those who are engaged in this pursuit. I have no doubt there would be difficulties in the first instance, but I think they would be got over after a few years.

665. Mr. *Hindley*.] Is it the effect of this Bill to confine the selling of drugs to one class?—I believe it is.

666. Mr. *Bouverie*.] It is on that ground that you approve of it?—No. I do not approve of it on that ground alone; but that is one thing.

667. Mr. *Hindley*.] Are you not aware, that by the provisions of the Bill persons in small places would not be prevented from selling drugs in case they did not style themselves chemists and druggists?—Yes, if they did not style themselves chemists and druggists I presume they could sell them; but those who style themselves chemists and druggists, and pass an examination, of course are a different class of persons altogether.

668. Mr. *Jackson*.] Would not they come under the head of pharmaceutical chemists, if they passed their examination under this Bill?—Yes.

669. There would be a distinction if this Bill were passed between parties who had taken a degree, as it were, under the pharmaceutical body, and the dealers in drugs under other circumstances?—There would be a great distinction between them.

670. And that would be a distinction which you think the public would soon appreciate?—Yes.

671. And the parties who are dealers in drugs would also appreciate it, and enter into the body in order that they might be so contradistinguished?—Yes.

672. Sir *W. G. Craig*.] I think you stated that it was your opinion that no person should be allowed to sell drugs who had not taken out the license of this society?—That is my opinion, but I think it is not the object of the Bill.

673. But to that extent you think the Bill should go?—Yes.

674. When you speak of an examination costing 200*l.*, or 300*l.*, does that include the expense of the course of education?—I consider it would include not only his education, but his board and lodging in London, supposing he lived in London.

675. But supposing a person came up for his examination, who was qualified, what would be the expense in that case?—I should think it would be a mere trifle, perhaps 50*l.*

676. That is if he had gone through a previous course of education in the country?—Yes.

677. Mr. *Jackson*.] How long would he remain in town in the event of his having qualified in the country?—Only one day.

678. That would not make the expense 50*l.* then?—No; but I am speaking of the course of study which would have been followed in the country.

679. Assuming that an individual was well qualified to go through an examination, what would be the cost, including the delay in London, to a person so qualified, who came up to be so examined?—Merely his travelling expenses, and his delay in town.

680. And the fees?—There are small fees.

681. Mr. *Farrer*.] What would be the expense to which he would be exposed in learning his business in the country?—Perhaps 50*l.* or 60*l.*

682. Mr. *Bouverie*.] I understand you that, in your own view, you would prohibit anybody selling medicines except those who had passed this examination? Yes, that is my opinion. I have seen the result of it in foreign countries, and  
I do



I do not see why there should be any difference, except that we are more in the land of liberty here than is the case abroad. Mr. John Savory.

683. Would that prohibition apply to patent medicines?—That would apply to patent medicines; they would be in time done away with. 2 April 1852.

684. Would you prevent anybody selling Morrison's pills who had not passed an examination?—I do not think that would be possible.

685. Supposing you prohibited anybody from selling the ordinary recognized drugs of the profession, except those who had passed an examination, but did not prohibit patent medicines, would you see no evil resulting from giving a direct encouragement to the sale, by ordinary people, of patent medicines who could not sell other medicines?—I dare say there would be a difficulty; there would always be a difficulty in every new Act in the first instance.

686. Do you contemplate this as in any way a Bill giving a legislative favour to the sellers of patent medicines generally throughout the country?—No, I should like to see patent medicines done away with altogether.

687. You would prohibit them?—I would prohibit them.

688. Mr. Jackson.] You understand that this Bill does not give the power which you would seek for, that of compelling all parties to enter the society?—It does not.

689. Mr. Farrer.] But you consider the Bill a step in the right direction?—I do.

690. Sir W. G. Craig.] Is it your opinion that the Board of Examiners should be composed entirely of the members of the Pharmaceutical Society?—No; I think it should be composed of professors as well.

691. Members of the College of Surgeons and the College of Physicians?—Certainly members of the College of Surgeons and the College of Physicians, or some other lecturers.

692. But not exclusively of members of the Pharmaceutical Society?—Not exclusively of members of the Pharmaceutical Society.

693. On what account do you consider that that conjunction would be desirable?—At present the members of the Pharmaceutical Society, I think, are competent to be the examiners of the society; but after a certain time, I think, we should want some higher classification, and that we ought then to have persons more competent than the present race of pharmacutists.

694. There is no power in this Bill to prevent the Pharmaceutical Society forming a Board of Examiners entirely from the members?—No, I believe there is no power.

695. Mr. Ewart.] You have been asked some questions with respect to the effect of the interference of foreign governments in enabling the chemists in small country towns abroad to subsist?—Yes.

696. Do all the governments in those foreign countries interfere in the education of the chemists, or do the chemists in small towns abroad manage that by their own efforts, independently of any interference on the part of government?—I believe they do.

697. Then it cannot be the interference of the governments which enables the chemists abroad to subsist; the governments do not interfere so as to enable them to subsist, do they?—No, I do not believe they do.

698. Might any chemists in this country subsist in the same way in country towns as they do abroad?—Yes, I see no reason why they should not.

699. Mr. Wyld.] Is it the custom of chemists and druggists, so far as you know, to become medical practitioners?—I do not believe it is their custom to become medical practitioners, or their wish to practice as medical men.

700. Can you speak as to both town and country on that point?—No, I can only speak as to London, and only as to a certain portion of London.

701. Is it not the fact that there is a jealousy on the part of the medical profession of the tendency of chemists and druggists to interfere with them by practising?—There is that jealousy.

702. Do you believe that the examination which you contemplate, and the society which you contemplate to conduct that examination, would have a tendency to increase that practice so far as it exists, or to diminish it?—I think it would have a tendency to diminish it.

703. I believe you cannot speak to the fact as to the practice of chemists in the country, whether they do interfere with the practice of medicine?—No; I have seen very little of chemists in the country.

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704. Therefore you cannot answer any question as to that?—No.

705. Mr. *Bouverie*.] Is this your idea of what would be a perfect arrangement with regard to the sale and dispensing of medicines in this country, that there should be a rigorous examination of all those who dispense medicines; that there should be an inspection of the drugs which they dispense, and that there should be a prohibition of all sale by unexamined persons of drugs, and a prohibition of patent medicines?—Yes, that is my opinion.

706. *Chairman*.] I think you have stated that there would be some difficulty in introducing regulations for the inspection of drugs?—Yes.

707. Do you think that by introducing that into the present Bill it would increase the difficulty and hazard the passing of the Bill?—Yes, I think it would.

708. Would it be better to simplify the Bill as much as possible at first, in order to establish a recognized system of qualified persons?—Yes; I think the more simple the Bill the better it is.

709. Do you think an improvement in the education of pharmaceutical chemists would tend to increase the sale of patent medicines?—I think it would tend to decrease the sale of patent medicines.

710. As far as you can recollect, was the objection to the former Bills which were introduced, that they were too prohibitory, and that they were considered to confer a monopoly upon the Pharmaceutical Society?—Yes, I believe those were the objections principally.

711. By making the Bill rather less stringent, are those objections in a great measure removed?—Yes.

712. In reference to the expense of examination, do you include the apprentice fee and other expenses of the education of a chemist, when you talk about 300 *l*. to qualify him?—I was speaking then of the entire education of a youth from the commencement of his apprenticeship up to his examination.

713. At present the apprentice fee is, how much?—It varies from 50 *l*. to 300 *l*. or 400 *l*.

714. Sir *H. Willoughby*.] What is the fee for examination under the Pharmaceutical Bill?—There is no fee at all, I believe, for the present; of course there would be a fee.

Sir *Benjamin Brodie*, Bart., called in; and examined.

Sir *B. Brodie*,  
Bart.

715. *Chairman*.] I BELIEVE you have devoted considerable attention to the laws relating to education in the medical profession?—Yes, a good deal.

716. In your investigation of the subject, have you considered the education of those who dispense medicines, as well as of those who prescribe them?—I have not omitted it altogether, but it has not been the matter which I have principally considered.

717. Do you consider that medical education would be complete, and answer the purpose required, if no provision were made for the qualification of those who execute the orders of medical men in reference to making up medicines?—I think it is very desirable that the public should have the means of distinguishing those who have been found to be well qualified for that business from others.

718. Do you consider that division of labour in the profession is desirable; that there should be a class of persons devoting their almost exclusive attention to chemistry and the manufacture of medical substances?—Not only desirable but very important.

719. Do you think that where persons are engaged in the medical profession the tendency is rather to neglect pharmacy; that they have not time to attend to both?—I should think that a person who is much engaged in practice, as an apothecary, would not have much time to attend to, or much opportunity of studying the manipulations of pharmacy, or the science of chemistry.

720. Then I presume you would consider that there ought to be a class of persons for those purposes, who do not practise as medical practitioners?—I think it is quite necessary that there should be; and indeed that we could not do without such a class of persons.

721. Do you think that that class of persons ought to pass an examination?—It seems very desirable that they should.

722. Do you think that those examinations should be conducted under the jurisdiction of a body of pharmaceutical chemists?—It is desirable that they should be conducted by some persons who are perfectly competent to conduct them, and these must be such as are acquainted with pharmaceutical chemistry.

723. Do you think that persons brought up in that particular department, and properly



properly educated, and practised in it, would be more qualified for that office than men who had devoted their chief attention to the practice of medicine and surgery?—I should think so.

724. Are you aware of the proceedings of the Pharmaceutical Society, and of the objects with which it was established?—Yes, I have a general knowledge of them.

725. Do you think that object was a good one, namely, that of the improvement of the qualifications of pharmaceutical chemists?—Yes, I think it was a good one.

726. Do you think it has already done any good in drawing attention to education in that department?—Yes, I believe it has done good; I imagine it must have done good, because I see that chemists advertise themselves as being licensed by the Pharmaceutical Society, and I suppose that their licence must be considered as showing that they have been found qualified.

727. In the establishment of a new society and a new system, by Act of Parliament, is it not usual to grant some indulgence to those already in business; that the Act cannot be made retrospective?—It always has been so, and it cannot be avoided. It was so done by the Apothecaries' Act; all apothecaries who were in practice having been considered to be licensed practitioners, though they had passed no examination.

728. Do you see any objection to entrusting the Pharmaceutical Society, as a body representing the chemists and druggists, with the examination of the future members of that body?—I have not considered the subject very particularly, but I am not aware that there is any objection to it under proper regulations.

729. If there were a provision that the College of Physicians and the College of Surgeons might, respectively, if they thought proper, depute a member of each of their bodies to attend the examinations, would that be a satisfactory regulation to those two bodies?—It seems to me, if care was taken that very proper examiners were appointed, it would not be necessary, and I should not insist upon it.

730. Then you do not conceive that it would be absolutely necessary?—I think that if the Pharmaceutical Society were so constructed as to form in itself a competent Board, that sort of supervision would not be necessary.

731. In the commencement of a society, as a general rule, would you expect to find it perfectly competent in every respect, or would you think that it would be imperfect at first, and gradually improve as education advanced?—Of course it would not be so perfect at first as afterwards; and I suppose, like all other human institutions, it would never be absolutely perfect.

732. Though you found imperfections to exist in it as a young institution, would that be, in your opinion, an objection to granting powers to the body?—No; care being taken that the imperfections are removed.

733. With respect to restrictions on unqualified persons, do you think it desirable to introduce a law restricting any person from following the business who has not passed an examination, on the same principle that a similar restriction existed with the College of Physicians?—My own opinion is that it would be sufficient; and that all that could really be done, and ought to be done, would be to give the public the opportunity of distinguishing between qualified and unqualified chemists. I do not think that it would be possible to hinder other persons from dispensing medicines.

734. Then you think it would be sufficient if they were prohibited from calling themselves pharmaceutical chemists, or fitting up shops which would attract the public eye as chemist's shops, exhibiting the insignia and emblems of pharmaceutical chemists?—I should be rather for not making any restriction, as far as I see at present, except that there should be the means of the public knowing who are the persons properly qualified. As in the medical profession, I have said always, that you cannot interfere with the public employing whom they choose to employ, but that the public should have the means of knowing what persons are properly instructed, and what persons have been properly examined.

735. Then, if there is a provision in the Bill prohibiting persons from pretending to be what they are not, so as to give the public the opportunity of knowing who are qualified and who are not, that is as much as the Legislature should do?—I conceive that it would be quite sufficient if there was a provision to prevent those who had not been educated and examined by the Pharmaceutical Society or by the members of the examining Board, whatever it might be, from say-

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ing they had been so examined, or from assuming that they had the license of the Board.

736. Mr. *Ewart*.] Or from assuming a title which might induce the public to believe that they had been so examined?—Yes.

737. *Chairman*.] Do you believe that an Act giving that distinction to the Pharmaceutical Society, and those who have been examined by it, would tend to improve the character of the body?—I think that an Act which enabled the public to distinguish from others those who had been properly educated under the direction of the Pharmaceutical Society, or whatever other body might be employed for that purpose, and properly examined by them, would answer every good purpose.

738. Would not that, by increasing the respectability of the body, induce a superior class of persons to bring up their sons to the business?—Certainly it would.

739. Is not the business of a pharmaceutical chemist one which requires a certain amount of preliminary education?—Yes; and a good deal of scientific knowledge to conduct it properly.

740. Do you think that a Bill which increased the respectability of the body, and would go to improve the character of the body of pharmaceutical chemists, would operate to induce a superior class of persons to bring up their sons to the business?—I think it desirable that no person should be brought into it who is not well acquainted with chemistry.

741. But if a person could not afford to send his son to a suitable school, would it not be an objection to his becoming a chemist and druggist?—It requires a knowledge of Latin, at any rate, and a moderately good education, generally, for a youth to become a good pharmaceutical chemist.

742. Therefore it would be impossible to elevate the character of the body without introducing this superior system of education?—I think so.

743. Do you think that the education of chemists and druggists in chemistry and pharmacy, and giving them a status as pharmaceutical chemists, would tend to induce them to become illegal practitioners?—No, I should think it would rather prevent them. I do not believe that the higher class of chemists are disposed to become medical practitioners, though the inferior chemists may be disposed to be so.

744. Then do you think that the tendency to encroach upon the medical profession is inversely to the qualification in pharmacy and chemistry?—I think so; I think it is only the inferior chemists who do so encroach.

745. Then I may infer from that, that you do not think it would increase the evil which is complained of?—I do not think it would increase the evil.

746. But rather tend to diminish it?—It would not prevent it altogether; it cannot be entirely prevented.

747. Mr. *Bouverie*.] I understand that you contemplate, as a public advantage to be derived from giving a statutory existence to the Pharmaceutical Society, that the public would have some means of recognizing who had been examined and who not?—Yes.

748. Then you would not prohibit the sale of drugs by anybody, but you would prohibit anybody from assuming the title of pharmaceutical chemist?—I do not believe you can prevent the sale of drugs by unlicensed chemists, any more than you can prevent unlicensed practitioners with respect to medicine.

749. But you would prohibit anybody assuming a false title, implying that he had been examined?—Yes.

750. Mr. *Hindley*.] You would make a broad distinction between a mere drug vendor and a scientific chemist and druggist?—Yes; I think the public should be able to distinguish between a common drug vendor and a scientific chemist and druggist, and that this would do a great deal of good; I do not think you can do any more.

751. Mr. *Jackson*.] Do you think this Bill has a tendency to carry that out?—I have not studied the Bill with this particular object in view, but so far as I can see, I think it has that tendency, and I do not know any better plan that could be tried; but I say this without much study of the provisions of the Bill.

752. Sir W. G. *Craig*.] Mr. Savory has stated, that it is his opinion that no drug should be allowed to be sold except by a person who has received a license from the Pharmaceutical Society. You do not agree with that?—I do not think it could be done any more than the preventing unlicensed medical practitioners.

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The public will buy drugs where they like, and get medical advice where they like.

753. Mr. *Ewart*.] You think it would be sufficient to enable the public to judge for themselves?—Indeed it seems to me that the public ought in such matters to be able to protect themselves.

754. Mr. *Bouverie*.] Should you think an inspection of the drugs of those examined persons desirable?—There is an inspection now, I believe, by the College of Physicians, and by the Company of Apothecaries; I do not know how it works, or whether it does good; I understand that they sometimes fling away bad drugs.

755. Mr. *Ewart*.] Is there any superiority in the chemists in the city of London over the chemists in the other parts of London?—I believe not.

756. I ask the question, because it is the city which is under the superintendence of the College of Physicians?—I do not know that there is any difference.

757. *Chairman*.] I believe your body, as surgeons, do not profess to interfere at all with regard to drugs?—We have no power to do so.

758. You leave that to the College of Physicians and the Apothecaries?—Yes, but our prescriptions very often suffer from the badness of the drugs.

759. Do you think that the chemists in this country are sufficiently educated?—As a body, certainly not.

760. Do you think that some legislation ought to take place, with a view to remedy that defect?—I do.

761. Mr. *Bouverie*.] As I understand, the footing on which you would put the chemists, is very much the same as that of the surgeons?—Yes.

762. Mr. *Ewart*.] Is not this measure of reform necessary to complete the course of examination which exists in other parts of the medical profession?—Yes, I think it is.

763. A doctor of medicine is examined previously to obtaining his diploma, and a surgeon is examined previously; why should not a chemist be examined previously?—Exactly; and I think that those examinations would be more useful in fact than the examinations of medical practitioners, because the candidates cannot be crammed for them; whereas candidates get crammed for medical examinations to a very great extent, especially for those by the Apothecaries' Company; but I do not believe they could be crammed for this examination, because they might be required to manipulate, and to distinguish the different drugs and chemicals, at the time of examination.

764. Have foreign chemists an advantage over English chemists in scientific knowledge and general qualifications?—I think on the whole, that there are more scientific men among the French pharmaciens than among the English chemists.

765. Sir *H. Willoughby*.] I understand that you limit your views to the formation of some society, pharmaceutical as it is called here, which should have the power of examining parties who wish to call themselves pharmaceutical chemists?—Yes.

766. You have no idea of conferring the power of selling drugs upon a specific class of people in this country?—I am against a monopoly, but I think that the public ought, as I said before, to have an opportunity of distinguishing between the real chemist and the pretender.

767. You would not advise a monopoly?—No, I should not.

768. Do you believe anything of that kind to be possible?—I believe it to be impossible.

769. Then how would you constitute that society of pharmaceutical chemists which is to have the power of examination?—That is a wide question; I have not thought of the subject enough to answer it; I know of no body that at present in this country is at all qualified to undertake the duty except the Pharmaceutical Society; perhaps a better one might be formed, but I am not aware that there is any other at present.

770. But the whole of the improvement which is contemplated will depend upon the fact of their being an efficient body?—Yes.

771. Do you know what is the composition of the present Pharmaceutical Society?—I know it generally; especially that some of the best chemists in London, and the most scientific of them, belong to it, and take an interest in it.

772. It is a voluntary association of certain individual chemists?—I believe so.

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773. That is the foundation of it?—Yes.

774. That society is to have the power of making laws under which parties are to be examined?—Yes.

775. Then by their act could they exclude any people they pleased?—I think it ought to be with that society as it is with our College of Surgeons. When the Crown granted a new charter to our college, the college was placed under the supervision of the Secretary of State. The bye-laws of the college are of no avail till they are sanctioned by the Secretary of State; so it ought to be with any public body that is entrusted with a great public duty.

776. Would not the provisos which you have alluded to be a *sine quâ non* in your mind when forming such a society?—I think if the society is employed for public purposes, it ought to be responsible to the Crown for the mode in which its office is performed.

777. Then you would not entrust such a body with a legislative power?—I would entrust them with the power under the supervision of the Secretary of State.

778. That is, that if they had such a power there should be a supervision of that power by the Secretary of State?—Yes.

779. Do you suppose it possible in any way to make such a society a representative body so as to represent generally the chemists of Great Britain?—I am not certain that it would not be better if, in all these cases, the examining Board were merely nominated by the Crown; but I think public opinion would make it difficult to carry that principle out.

780. At the present moment this Pharmaceutical Society is composed of a certain self-elected body of gentlemen exercising the trade of chemists and druggists?—Yes.

781. They are in no way a representative body?—I suppose they represent the profession of chemists, and I conclude that the council of the Pharmaceutical Society is elected by the general body.

Mr. Peter Squire, called in; and Examined.

Mr. P. Squire.

782. *Chairman.*] YOU have been for some years a chemist in Oxford-street, I believe?—Yes; I think ever since the year 1825 I have been in Oxford-street.

783. You have been a member of the Pharmaceutical Society from the commencement, I believe?—From the commencement.

784. At the time that you were educated to the business, was there any regular method of educating pharmaceutical chemists and druggists?—They were regularly apprenticed, and premiums given; and it was necessary that they should have served seven years apprenticeship at that time.

785. But was there any recognised method of teaching them chemistry, pharmacy, materia medica, and so on?—None whatever; they picked up what they could by becoming at first mere scrubs, and then elevating themselves from being mere scrubs by becoming assistants.

786. They merely picked up a little at first in their apprenticeship, and advanced afterwards as they could?—Certainly.

787. Were they instructed in the theory of chemistry?—Not in the least.

788. If a young man had devoted much of his attention to chemistry and botany, would he have been cautioned against neglecting his business?—Yes; I acquired my knowledge of botany chiefly on Sundays. I had no theoretical instruction than what I got myself from books.

789. Then, apart from any private views of your own at that time, did the custom prevail among the chemists and druggists to inculcate the necessity of education?—No; I think quite the contrary. I think that as long as they managed to get through their business that is all they cared about.

790. Have you ever heard it stated by chemists, that a young man who was very scientific was not a good tradesman; that attention to chemistry took him away from the business of the shop?—I have not been placed in a position to hear that observation made.

791. Are you aware of the state of the law in other countries with respect to the education of pharmaceutical chemists?—Yes; I was lately in Germany, and there I made it my business to inquire, and I was informed by Dr. Mettenheimer, who is the Professor of Materia Medica in Giessen, that a regular education was necessary for pharmaceutical chemists.

792. And



792. And an examination?—And an examination always necessary before they allowed them to enter on business for themselves.

793. Do you think such regulations for promoting education are requisite in this country?—Yes, I think they are highly important.

794. Do you think that the chemists in this country are very much behind those of other countries in point of education?—Yes; I think, taking them as a body, they are.

795. Are there a great number of persons who call themselves chemists, without possessing the least education whatever in chemistry and pharmacy?—I should think that that is a lamentable fact.

796. Have you been induced to support the Pharmaceutical Society with a view of raising the standard of qualification of chemists, and thus benefiting the public?—Entirely with that view.

797. You have been an examiner, I think?—I have, from the first establishment of the society.

798. Are you one now?—Yes.

799. Do you consider that the kind of examination which is passed by the candidates at the Board is calculated to raise their qualifications by inducing them to study before they come for examination?—I do.

800. Do you think there has been an improvement in qualification since the Pharmaceutical Society was formed?—I think a very great improvement.

801. Do you frequently hear inquiries from young men with respect to the books they ought to read, and the course of study they ought to pursue?—Yes; I think the examinations of the Pharmaceutical Society have induced young men more to turn their attention to the study of their profession than anything else that has happened at all.

802. Did similar inquiries come before your notice before the establishment of the Pharmaceutical Society, from young men, as to what books they ought to read, and what they ought to study?—Very little attention was paid to it before.

803. Then you think that the Pharmaceutical Society has been the means of drawing attention to that?—I think particularly so.

804. Sir *H. Willoughby*.] I understood you to say that you were one of the examiners of the Pharmaceutical Society?—I am.

805. Can you tell me what are the numbers of the Pharmaceutical Society?—No. I think the secretary will give you that information. I do not carry it in my own recollection.

806. What number of examinations are there in the year?—Ten; we examine once a month, except May and September.

807. What number of parties have been examined?—I think I have known 16 and 18 come up for examination on one or two occasions.

808. Can you state the number in a year?—No, I cannot do that; you will get that from the secretary.

809. What is the nature of the examination?—The nature of the examination is simply this: a young man is called upon to read prescriptions, with their terminations, and not in short dog Latin. They are also called upon to translate those prescriptions, and to translate them, not only literally but in an elegant manner. They then are asked if they know the nature of each of the ingredients in the prescriptions, and to give a reason why such and such things should be put together, and what chemical decompositions take place in the different admixtures; in short, to form a judgment upon the prescription as to whether it is a chemical or an unchemical one, in order that they may be able to give a hint to medical men hereafter, if they are not up to chemistry, that they may set themselves right in future. I think that very necessary, because I have frequently found that medical men were not so well versed in pharmacy and chemistry as our body; and I think that those hints are very valuable to medical men, and by those means one profession assists the other. Then we examine them upon *materia medica*, and the knowledge of the quality and action of the drugs. They are called upon to state what part of a plant they have before them; to what natural order it belongs; what are its uses in medicine, and what are its particular properties. They are not examined beyond stating what the doses of those medicines are. They are also examined chemically as to the chemistry of the pharmacopeia. They are examined also upon toxicology and upon botany; and I think when I have said that I have stated all our examination.

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810. By whom are the examiners appointed?—The examiners are appointed by the council.

811. How many examiners are there?—I think there are six or eight; eight I believe.

812. Is there a necessity for a quorum?—Yes.

813. What is the quorum?—Those details I really cannot bear in my own mind.

814. But you must be aware how many have attended with you when you have examined?—Yes. Four, I believe, are a quorum.

815. Then, when you have examined there have been always three others present?—Of course; the secretary is present always when the business commences, and he looks to the quorum.

816. *Chairman.*] Is that an official statement, and a general outline of the course of the society with reference to examination (*handing a paper to the Witness*)?—Yes. I omitted to tell you that we examine candidates for apprenticeship as to their efficiency in the Latin language before they enter their profession. Then, after they have entered their profession, and have become apprentices, they come up for a minor examination, which is less stringent, of course, than the major one. After passing the minor examination, then they come up for their major examination, and are considered qualified to commence business.

817. Sir H. Willoughby.] Does the examination of one party last more than one day?—No.

818. The examination of any one party is concluded in one day?—Yes.

819. *Chairman.*] You have alluded to hints given by chemists, occasionally, to medical men; do you refer partly to the possibility of accidents occurring in prescriptions from a mistake, a slip of the pen?—Yes, that is one part of the story; but another is, that sometimes things are put together, for want of a deeper knowledge of chemistry, where the one decomposes the other; and it is the province of a well-educated chemist to point that out, in order that the medical man may not be disappointed.

820. Does not it sometimes happen that a mistake occurs in which the chemist, from his knowledge of the business, sees that the dose is a great deal larger than was intended?—Yes.

821. And does not that make education necessary, in order that the chemist may be able to discover those mistakes?—I certainly would not entrust a prescription, myself, to many shops in the country at the present day; that is my feeling as to the present condition of our body in the country.

822. Do you think that the plan proposed by the Pharmacy Bill would tend to improve the qualifications of the chemists and druggists, and thus diminish the danger to the public to which you refer?—I think something should be done; I do not profess to enter into the merits of the Bill, but I think something should be done for the safety of the public.

823. Sir H. Willoughby.] Do you find that many country chemists have come up for examination?—Yes, some of them have, and some of them pass a very creditable examination; but there are others, again, woefully deficient. I have had assistants sent to me, when I have had vacancies in my establishment, coming up with the most excellent character from the last parties they were with, stating that they were very efficient and highly praiseworthy young men. I never take a young man in my own establishment without examining him for a couple of hours, to ascertain his qualifications, so that I know the difficulties. On one occasion a young man came to me, well dressed, with assurance in his manner and apparently well-educated, but on examining him I found him so deficient in his knowledge of chemistry, that I dared not trust him with my business; he supposed oxide of mercury and corrosive sublimate were the same thing. Now it is well known to all chemists, and to most educated men in the present day, that oxide of mercury and corrosive sublimate are very widely different. This is only one instance of many others. You may imagine if two grains of oxide of mercury had been ordered for a child, and this man had put in two grains of corrosive sublimate, death would necessarily have ensued; and he was really quite confounded after I had told him he was so deficient.



Mr. *Thomas Herring*, called in; and Examined.

824. *Chairman.*] YOU have been many years a wholesale druggist?—I have been in business above 43 years. Mr. *T. Herring.*

825. In Aldersgate-street?—In Aldersgate-street. 2 April 1852.

826. Does your business bring you in communication with the chemists and druggists throughout the kingdom?—It brings me in contact with the chemists in London and in the provinces, and in Scotland, and in Ireland; I have visited them, and know them personally.

827. Have you customers in most of the towns in the United Kingdom?—I should say you can scarcely mention any place that is worth going to, but what we have a connexion in it.

828. Does that give you an opportunity of forming some idea as to the condition of the body of pharmaceutical chemists, with respect to their education, and other particulars?—Yes; I originally served my time as a chemist and druggist, at Norwich, from which place I came up to London, and started a wholesale trade; before that, I had been in general communication with chemists, and knew their character, and general mode of business.

829. Do you consider, from what you know of the body of chemists and druggists, that they are properly qualified for their business?—Not generally; a very great deal of mischief arises from want of knowledge; for instance, take any gentleman who is a qualified person, and knows his business, and he would not buy anything but what is of proper quality; but a great many of those who purchase drugs are men not educated, by which means a vast quantity of medicines are sold of an inferior quality.

830. Are there not a great many persons who assume the name of pharmaceutical chemists, who have never been educated or qualified, and who do not know their business?—A great many.

831. Are those persons competent to judge of the quality of the drugs which you sell?—Certainly not; and moreover, some of them when they order an article which is a poison, or a medicine of stringency, not knowing the Latin name, require the English name also.

832. Is that the case with a great number of persons?—That is the case.

833. Does that occasion the circulation in the market of a great many drugs of so inferior a quality, that they would not be received by any educated chemist?—Yes; those who do not know the quality of the drugs, are sure to be imposed upon, because the most common drugs bear the best profit.

834. Do you remember the time when Sir Robert Peel brought in a bill to take off the duty upon drugs?—I do; our drug committee waited upon Sir Robert Peel several times.

835. Were there not at that time in the docks a considerable number of drugs which were so bad that they would not sell for the amount of the duty?—Yes.

836. Did some of those drugs, when the duty was repealed, come into the market?—Yes, and do now.

837. Did those drugs come into consumption in the trade?—Yes.

838. Was spurious jalap sold which was not worth 6*d.* a pound?—Not worth a penny; and I am informed that it is still brought in as jalap root, and used for adulteration.

839. Are drugs of that inferior description brought into the market and purchased by persons who are totally ignorant of their qualities?—They are bought by persons totally ignorant, on account of the low price at which they get them, and by persons who do know it, on account of the demand for cheap drugs.

840. Do you think that the ignorance of so many persons, who call themselves chemists, causes the circulation of larger quantities of inferior drugs than otherwise would take place?—I do. If a man is educated we should not show him the inferior drugs which a person who does not know the article would select in preference, on account of the low price.

841. Have you several different qualities of drugs?—Yes, I have; I have brought these to show the Committee (*producing some samples*). Here is a very important drug; one of the most important drugs we have; that is scammony. This article, which is imported, is of the value of 8*s.* a pound (*exhibiting a specimen*); that is not scammony, or at least there may be a little, but it is composed of chalk, starch, gum, and various other things; it is a made-up article. A man

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who does not know his business, would be quite satisfied with this article at 16 s. a pound, which at that rate bears a greater profit than the best.

842. Mr. *Ewart.*] Where does that come from?—Smyrna, and all those parts. The article which ought to be used is called by a common expression, though not the proper one, virgin scammony, the same as virgin honey, which means first-class scammony; even this sometimes contains 10 per cent. of chalk; but it contains 80 or 90 per cent. of scammony; this article fetches at the public sale 35 s. a pound.

843. *Chairman.*] The other sample being sold at 8 s.?—I can buy this at 8 s., and it is sold at 12 s. and 20 s. When you meet an uneducated man, and he wants a pound of scammony at 20 s., he would be satisfied with this article. I have been a great advocate throughout my life for forwarding the means of education to prevent this adulteration.

844. Mr. *Ewart.*] Those drugs are brought in adulterated?—Yes, they are brought in adulterated.

845. The adulterated article comes from the same place as the pure?—Yes; Jalap comes from Mexico, it ought to be the root; but when they have got as much of the root as is valuable they sometimes cut down the tree and bring it over in pieces of wood.

846. As to scammony, are both the adulterated and pure article imported from the same place?—Yes.

847. *Chairman.*] Have you corresponded with the merchant from whom you receive it?—Yes.

848. Has the merchant ever told you that he could make it up at any price?—I know a young man who went out to collect the article; it is all adulterated in the foreign market according to its price, and when the merchant receives those packages they are marked with letters or numbers, and the adulteration of each is described: "That article is adulterated 40 per cent. and this 50."

849. Mr. *Wyld.*] Then you mean to say that it is sold in the market as an adulterated article?—Yes; we know it must be adulterated by the price.

850. Mr. *Ewart.*] It is of course very important that the chemist should be able to distinguish between the adulterated article and the pure one?—Not a doubt of it.

851. *Chairman.*] Does the same rule apply to a great number of other drugs besides scammony?—Yes; I should say so, certainly.

852. Sir W. G. *Craig.*] Is it your practice to buy these adulterated drugs?—We do not buy them largely; we are compelled to supply an article of that kind when ordered. A customer comes in, and asks for scammony at a low price; this article is produced and he buys it, but we do not keep it in stock; but a man who was educated at all would see himself that it was impure.

853. *Chairman.*] You are obliged to yield to the demand for such drugs as are asked for by your customers?—We are forced to keep them, but we never use them in preparations.

854. If a person comes to you, do you ask him whether he wishes for the best or the second best article, and supply him accordingly?—Certainly; we ask him his price.

855. And do you consider that it is the fact of so many persons professing to be chemists and druggists, having no education, which causes the very great demand for an inferior class of drugs?—It is the chief if not the entire cause of it.

856. Do you think if they were properly educated, the demand for those very inferior drugs would cease?—I am certain of it; the public would be better served as to their prescriptions, and druggists would have a better opportunity of procuring good drugs.

857. Have you found more difficulty in satisfying your customers since the establishment of the Pharmaceutical Society; have they paid more attention to the quality of the drugs?—Yes; it has been quite a stimulus to all those who have joined the society.

858. Do you find more frequent inquiries respecting the quality of the drugs to a certain extent, than you did before the society existed?—It is in operation every day; we hear more of improvement daily in this respect.

859. Do you consider that that cause continues to operate in promoting superiority in the quality of the drugs which are sold?—Yes; one is stimulating another continually now to get the best.

860. When



860. When one chemist has obtained superior articles, does that induce others to do the same thing?—Yes; it is a great stimulus amongst them, no doubt; they find now that a good article is demanded, and consequently a man in his own mind will say, “I will get the best.”

861. Then is it your opinion that the passing of a Bill for promoting the education of pharmaceutical chemists will benefit the public, by putting an end to this extensive circulation of bad medicine?—I have no hesitation in saying that if a Bill of this description, which I have read very minutely, were passed, it would tend very much to the improvement of the trade, and be a great advantage to the public.

862. Sir *W. G. Craig*.] Is it your opinion that it is desirable to prohibit the sale of drugs by persons not druggists?—That is my idea; I have thought for a considerable length of time that Government ought to appoint a man to look after the drugs; there ought to be a man who understands his business to go round to the different shops and investigate the drugs. You see what a great improvement has taken place with respect to the importation of drugs into the United States of America; if an article is imported there now, the moment the vessels have landed the packages, they pull them open if there is any suspicion of their being bad, and if they are bad they are seized; consequently the trade dare not send a bad article to America now; it would be seized.

863. Is there a medical inspectorship established in the United States?—Yes; and consequently the drugs shipped to America are of good quality.

864. That is in consequence of the inspection?—Yes.

865. Is the medical inspector attached to the Custom-house?—The medical inspector is attached to the Custom-house, and no medicines can be landed without he sees them.

866. Mr. *Ewart*.] Has any proposition been made to the Government of this country to establish a similar system for the inspection of drugs at the Custom-house?—I believe there has; but I believe it would in the first instance be difficult to get a man who understands drugs; it requires a long time for a man to understand them.

867. Are you aware that that proposal has been made by Dr. Muspratt, a very eminent chemist of Liverpool?—Yes, it is so reported.

868. Sir *W. G. Craig*.] How do they obtain properly-qualified men in America?—If you paid them, there would be men perfectly qualified who would do it for a sufficient salary.

869. There would be no great difficulty in this country in doing that?—No; a person might be found to do it.

870. Mr. *Wyld*.] Does it require chemical as well as other knowledge to test those drugs?—Not to test drugs.

871. Could an officer of Customs tell the drugs by simply looking at them, or must there be an analysis?—I think most of our drugs could be told by looking at them. An experienced person could pick them out; but any chemical preparation must undergo chemical examination.

872. Then an officer established at the port could tell by ordinary examination?—Yes, a competent judge.

873. Sir *W. G. Craig*.] Do you consider there ought to be a prohibition against the sale of drugs by any person in the country, except those who were licentiates of this society?—I should say there ought to be some such prohibition; for this reason, most of our medicines at the present day are very materially altered by the French mode of preparation; our medicines are of a different character to what they were formerly, they are concentrated medicines; and therefore I should say, at the present day, it is more essential that a man should undergo an examination than it was at any time before.

874. Do you consider that it would be possible to prohibit persons in remote parts of the country from selling drugs, unless licensed by the society?—I should think myself they ought not to be allowed to sell medicines. I do not see why a man in a little country shop should compound medicines at all, except he has a knowledge of them. I know an eminent physician, when in the country, had to send a prescription 14 or 15 miles from the place, because he was conscious that it would not be made up properly at the place where he was.

875. But take the case of a simple dose of rhubarb, would you prohibit that?—This Bill might not apply to the sale of rhubarb, or jalap, or magnesia; this Bill is what is necessary for the protection of the public. We know that accidents

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continually occur. I heard of one lately from a young man doing a prescription up. If he had been an educated young man he would never have compounded the prescription at all; but he did it up as it was ordered, and the consequence was that the young lady for whom it was intended died. If he had been a man who knew his business as he ought to have done, he would have said, "I will not put this together without asking the physician."

876. Then your objection is not to the sale of drugs, but to the making up of prescriptions?—I think altogether that nobody ought to sell medicine except he is qualified.

877. Do you think it possible to get a licentiate of this society in every country village?—That would be soon overcome, the same as is done in Ireland. In Ireland if a man is uneducated, he cannot compound medicines, because he must undergo an examination; but if he will not go under an examination, how does he avoid it? Why he gets a young man who is qualified, and he writes up, "James Smith, qualified;" therefore a man in a country town would soon become so by only getting a young man who was qualified.

878. *Chairman.*] Do not you consider it of very great importance for the poor in agricultural districts to have properly qualified chemists, since, in fact, more is entrusted to the chemists in those places than in large towns?—Yes, I do. I think it is highly essential that they should be qualified men, and I am certain that that qualification would prevent the sale of such a vast amount of inferior drugs.

879. The purport of this Bill is to give the public the means of judging of the qualifications of chemists, if they choose to make use of their judgment?—No doubt.

880. It does not go further than that?—That is all we require; there ought to be a guarantee to the public.

881. *Sir H. Willoughby.*] Are you a wholesale druggist and retail druggist?—Wholesale not retail.

882. Do you wish that, in both the cases, there should be a particular class of people, and only that particular class of people, who should sell drugs, wholesale or retail, in Great Britain?—The Bill has nothing to do with wholesale druggists.

883. But I want to ascertain your opinion upon that point; there are wholesale druggists and retail druggists?—There are.

884. Is it your opinion that the sale of drugs, wholesale and retail, should be confined to a particular class of persons?—I think the wholesale druggists have nothing to do with it; a man who is a wholesale man has nothing to do with what is distributed to the public.

885. *Chairman.*] He is a merchant?—He is a merchant, and can have nothing to do with what takes place among retail druggists.

886. *Sir H. Willoughby.*] Can anybody be a wholesale druggist?—Yes, anybody can be a wholesale druggist.

887. Then you require no examination for them?—No; but it is much better that they should know their business; there may be some who do not know their business.

888. Would you impose upon a retail druggist a qualification which you do not impose upon the wholesale druggist?—Certainly; I think it would be the means of raising their character, and that a great benefit to the public would arise, because they would have better drugs.

889. I understand you to say, that you would allow a party to sell drugs wholesale, without having undergone any examination which should assure the public that he was qualified to distinguish between good and bad drugs?—I think we should not touch the wholesale druggist; he is a merchant.

890. Why would not you touch him?—For this reason: I am an importer of drugs, at all prices, and people come and buy them at all prices. If a person who comes to a wholesale druggist, says, "I want a quantity of spirits of nitre, of the specific gravity of 850°, or I want it cheaper," the druggist says, "Well then, you must have it of less gravity." He is only a wholesale vendor of it; he has nothing to do with the public, or with the use that is made of it. A great many drugs are sold to manufacturers, and not for medicine.

891. Do you not consider it an obligation upon the wholesale druggist to sell sound drugs?—I should say, every honourable man ought always to urge it.

892. You have introduced a drug called scammony, I think?—I have.

893. I think you said that it varies in quality, that it is sold of one quality at 8s. a pound?—From 8s. to 40s.

894. Would



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894. Would you sell the 8s. quality, although you know it is composed of 80 per cent. of chalk, to any one who asks for it?—We are compelled to do that, though we do not like it. A person comes and says, “I want scammony, at such a price;” and we show it to him: if a man was qualified in his trade he would not buy that article, if he really was an intelligent man.

895. You have stated that you think it desirable that in Great Britain no retail chemist should sell drugs, scammony included, unless he was qualified by having passed some examination?—Certainly.

896. How is that to prevent the party who was so qualified from buying 8s. scammony?—In fact it would prevent the sale of it in a very material degree; because the men would be educated to know the different qualities of scammony, whereas some are now so uneducated that they do not know it. If you were to pretend to control them they would be offended.

897. Is not the reason for buying it that he can get a certain kind of scammony for 8s. instead of giving 35s.; would not that account for the sale?—I do not comprehend the question.

898. Here is a commodity of various qualities which you say is to be got at different prices; may not the difference of price account for the sale?—There is no doubt of it; the common article pays best, but they ought not to be allowed to use it: but some buy it, thinking it is a good article, as good as can be.

899. But there is no reason, on your own showing, as they get the most by the lower-priced commodity, that the qualified chemist who understood his business might not still come to you for the scammony of the lower quality?—I find that those men who know their business will not admit it into their premises.

900. Then, in that case, you suppose it does not answer to that class of chemists to use it?—Certainly not; they will not buy it.

901. *Chairman.*] It does not answer to tradesmen in general to sell a bad article, which would be ultimately disapproved of by their customers?—Certainly not.

902. Therefore, upon that principle, I suppose in the end a man would come for the good article, who understood it?—I think that is the tendency.

903. Are not wholesale druggists admitted into the Pharmaceutical Society?—They are admitted into it.

904. Do you consider it is desirable for them to pass an examination, although their case is rather different from the retail druggists?—No, not compuisorily; but I should like the wholesale druggist, if he was competent, to undergo an examination; but you would not get them to do it.

905. *Mr. Wyld.*] Are not a large quantity of the drugs imported into this country sold wholesale by brokers?—Yes, they are sold every fortnight, at a public sale, by brokers.

906. Supposing the wholesale druggists were compelled to undergo an examination, would you include the drug broker?—No, he is only an agent.

907. Is not the broker the intermediate man between the merchant or importer, and the wholesale trader?—Yes; he is only acting for the merchant.

908. The wholesale druggist is, therefore, no more responsible for the drugs he sells than the broker or the merchant?—No.

909. *Sir H. Willoughby.*] I understand you to say, that the wholesale druggists would not submit to an examination as a class?—They would not submit to an examination for the reasons which I have already stated.

910. *Mr. Ewart.*] We understand, from the evidence before us, that many of those articles sold by wholesale druggists may go to other purposes than medical purposes?—Yes, many of them are used in mechanical operations; for example, castor oil; you would hardly suppose it, but it is used in machinery and for other purposes as well as for medicine.

911. *Mr. Wyld.*] But a wholesale druggist sells also chemicals, does not he?—Yes.

912. A large portion of those are used for agricultural purposes?—Yes; some of them; phosphate of lime, et cetera.

913. Therefore, a wholesale druggist embraces a trade of a more extensive character than the supply simply to retail chemists?—Yes; he sells articles applicable to the arts and sciences, articles used by dyers and others.

914. And therefore he is placed upon a different footing from a retail chemist?—Yes.

915. *Mr. Ewart.*] He is not a special but a general tradesman?—Yes; some

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embrace a larger scale of business, dealing in all kinds of articles, and some keep more particularly to drugs; our house keeps particularly to drugs.

916. You therefore would not propose a check upon the wholesale druggist, like that upon the retail, inasmuch as you propose that there should be a previous inspection at the Custom House?—I think if that was adopted it would be a good thing.

917. Mr. *Wylde*.] Therefore, I understand that the wholesale druggist is upon an entirely different footing, with respect to the public, from the retail druggist?—He has nothing to do with the public.

918. And it depends upon the want of knowledge, and the want of education in the retail druggist, or otherwise, whether he buys good or bad drugs?—Not a doubt of it.

919. Sir *H. Willoughby*.] I am endeavouring to find out whether you look to any public Board in order to prevent improper drugs being sold in Great Britain. Do you look to a Government inspection as the best mode of preventing it?—No; I think the best mode of preventing it would be the education, as a body, of those who buy the article; it is from the want of that education that so large a quantity of bad drugs finds its way to the public.

920. Then why do you refer to America as an example?—I was only telling you what they do in America; I think it would be a great improvement if the Government would not allow bad drugs to be imported; they will not allow bad fish to be sold, or bad meat to be sold, and very properly so; but here are articles of the greatest importance to the public health, without any duty paid, and with no prohibition upon them, let them be ever so bad.

921. Then according to your own showing, the prevention of bad drugs coming into the kingdom would be a better security than anything else?—I think education is better than anything.

922. But if bad drugs did not come, the evil would not happen?—Of course not, if they did not come.

923. In America you say they do not admit bad drugs?—In America they are so strict that they will not allow anything that is bad to go in, if they know it.

924. If the practice in this country was made analogous to that of America, would not that be the best mode of preventing the sale of bad drugs?—No, it would not, and I will give you a very good reason why; this article, scammony, was formerly manufactured in London, therefore there would be no difficulty in getting it again by that means.

925. Then in point of fact that is home made?—No, this is made abroad; they make it rather better abroad than in this country. But as long as the demand for a spurious article exists it will be fabricated in this country if it is not made abroad; a great deal was made in this country before they made it abroad.

926. Why will they have it?—Profit will lead some men to buy common articles.

927. Am I to understand you that chemists and druggists will deal in inferior articles?—Yes, at present, some will.

928. How could you make a law to prevent it?—I think myself that education would do it; educate these men and they will not do it.

929. Mr. *Wylde*.] You think that there ought to be an inspection of all drugs sold by retail druggists, I understood you to say, in the former part of your evidence, for the safety of the public?—I do not think that alone would do; it might do some good, but it would not overcome the evil.

930. Has not the Apothecaries Company the power of inspecting the drugs?—Yes; but this examination is confined to apothecaries, and I have reason to believe that this is often evaded by keeping in prominent places some specimens of superior drugs.

931. Then in fact, the power of inspection, which the Apothecaries' Company have at this moment, is wholly inoperative?—It is inoperative, but might be improved.

932. Is the larger portion of the bad drugs which are sold consumed in London or in the country districts?—I should say formerly it was in the country; they have improved in the country; but still the great consumption, I think, is in the small towns in the country, except you go into the outskirts of London, Whitechapel, and so on; but you get the better article in the more important localities.

933. Since the establishment of the Pharmaceutical Society, have you found its members purchase better drugs than the ordinary mass of chemists?—It is quite



quite a new era; and not only that, but all the apprentices who are coming forward, who have been educated, will not have the bad drugs.

934. Then the public have been very much benefitted by the establishment of the Pharmaceutical Society?—I think it is one of the greatest steps that has been taken towards having good drugs sold, and the safety of the public insured.

Mr. T. Herring.

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Mr. George Walter Smith, called in; and Examined.

935. *Chairman.*] YOU have been for many years in the drug business?—For upwards of 30, both wholesale and retail, in town and country.

Mr. G. W. Smith.

936. You were connected with the Pharmaceutical Society at the time of its formation?—I was.

937. Did not you take some steps, in connexion with some other chemists, at the time that Mr. Hawes's Bill was brought forward?—I joined some two or three druggists to consider that Bill, and advised them to an opposition, having an idea that I could draw the attention of the trade to the question of education, in which I had ever felt an interest.

938. Did the opposition to that Bill, by yourself and the parties you have spoken of, refer to any objection to the introduction of education among the body of chemists and druggists?—The Bill itself contemplated an examination of chemists and druggists, but it was not objected to on that ground; the objection to the Bill was, that it rendered it penal to strap a cut finger or to administer a dose of medicine.

939. Was there any objection with respect to the constitution of the board of examiners?—The constitution of the board of examiners was objectionable, because it would have placed the chemists and druggists under the control of the Apothecaries' Company.

940. When the meeting took place which brought the chemists together, and when the subject of an association for the permanent improvement of the body was proposed did the proposal to form a permanent association for their improvement meet with the general approbation of the chemists and druggists?—The result was that it was extensively approved.

941. Was there some difficulty in arranging the constitution of the society so as to suit the prejudices and the condition of the parties concerned?—There was considerable discussion as to the character and constitution of the society.

942. Were not several objects comprised in it for the purpose of inducing as large a number as possible to join it?—Yes, it was intended to confer a universal benefit.

943. Was not a benevolent fund added to it, simply for the purpose of adding a bond of union, but merely as a collateral object?—It was considered a good foundation for giving men an interest in the institution.

944. But was the primary object of the society education?—Yes; to educate and qualify the body so as to render them more efficient servants of the public.

945. Was not another object that of the defence of the body, in the event of any Act of Parliament being introduced which might injure them, or any other matter arising which might concern them?—The union of the body was for the purpose of preserving their independence, that they might not be controlled by any other body, and that they should preserve themselves from any penal clauses in the Bill which they understood was about to be introduced by the College of Physicians or the College of Surgeons.

946. Such penal clauses as they might consider unjust?—Yes.

947. Was not the only ground upon which they could claim any protection from that interference, that they should exert themselves to improve their qualifications?—Yes, to give the body better qualifications.

948. Of which they have given such a proof as to justify their claim to be protected from external interference?—Yes; the proof is the establishment of a voluntary society, which has been very generally supported, and very generally approved.

949. Do you remember the number of members who joined during the first year?—I have a statement here of the numbers in the several years.

950. Does that paper contain the total number of members and associates from the commencement in the several years?—Yes; as they paid their subscriptions.

951. Does it also contain the number of seceders?—Yes; the subscriptions are

Mr. G. W. Smith. still in arrear, but they are competent to pay ; some of the seceders have died, others have emigrated.

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952. Does it also contain the number of admissions during the several years ?  
—Yes.

[The same was delivered in, and is as follows :]

YEARS.	TOTAL.		SECEDERS.		ADMISSIONS.	
	Members.	Associates' Apprentices.	Members.	Associates' Apprentices.	Members.	Associates' Apprentices.
1841 - -	668	266	—	—	—	—
1842 - -	1,658	2,313	19	- -	2	80
1843 - -	1,640	2,079	137	194	36	83
1844 - -	1,574	1,706	188	217	4	83
1845 - -	1,691	1,475	100	169	217	102
1846 - -	1,673	1,436	149	173	127	97
1847 - -	1,678	1,159	130	149	116	95
1848 - -	1,634	1,013	128	159	99	103
1849 - -	1,561	865	143	156	67	198
1850 - -	1,550	814	115	97	75	104
1851 - -	1,485	735	119	118	110	80
1852 - -	- -	- -	- -	- -	34	86

953. Was not one of the original objects of the society that of obtaining a Bill ?  
—It was.

954. Did a great many secessions take place in consequence of the impression going abroad that the council had neglected their duty in consequence of not having obtained the passing of a Bill ?—There has been a very strong feeling expressed at times, and many members have discontinued their subscriptions, because they thought the council had not effectually exerted themselves to obtain a Bill for the purposes of education.

955. Did you attribute a great proportion of the secession to that circumstance ?  
—I do, partly.

956. To disappointment at no Bill being obtained as was expected, a Bill being the original object ?—Precisely ; they had been led to expect it a few years after the establishment of the society.

957. In framing the laws of the society, have you been present at the meetings which have taken place on the subject ?—At all times. I was instrumental in framing the original constitution of the society.

958. Has the primary object in the formation of those laws been to avoid those abuses which frequently exist in corporate bodies ?—Yes ; every endeavour was made to make this institution perfect, and to avoid what were considered abuses in other institutions.

959. Were the laws of various institutions obtained and considered with the view of extracting from them such portions as should be found desirable, and omitting anything that was objectionable ?—Yes ; many were obtained by myself, also by others.

960. Was one of the objects of the society the introduction of the principle of representation ?—Most decidedly ; the basis of the society, as agreed to by the committee in their first report, was for the purpose of education, examination, registration, and representation ; those were the four points.

961. In the election of the members of the council, was it contemplated that every member of the society should have a vote ?—It was not only contemplated but it was expressed. I have here a balloting paper, which was the first which was issued, which will prove that it is a list of the candidates ; it was transmitted to the member, and he was requested to place his initials against each name, and to sign the paper with his name, and to return it to the secretary prior to the day of election.

962. Have



962. Have you a paper which was rather an improvement upon that during the subsequent years of the society?—There was an alteration, but I do not regard it as an improvement, because, by that alteration, I do not conceive that the paper entitles the absent member to vote.

963. Was not there a mistake in the charter, in consequence of a misunderstanding on the part of the legal advisers, by which absent members were deprived of the privilege of voting?—Most decidedly; for it was a fundamental doctrine and the intention, that every man should be entitled to vote for the election of the council, in order that they should be all fairly represented.

964. Has a clause been inserted in the Bill for the purpose of curing that defect?—There has; that word “present” in the charter was quite a defect. The council have even taken, first one counsel’s opinion, and then two, and I still urged upon them the possibility that that did not apply to the election, although it might to the resolutions at the meetings. I merely mention that to show that the council have endeavoured to carry out their own intention.

965. Then it has always been the intention of the society, that it should be conducted on the principle of representation?—I think it is the fundamental point, that the council should represent all the members.

966. At the time that the society was formed, was not it stated to those who joined it, that some credit would belong to them as being the originators of the improvement in the qualifications of their body?—Yes, and they were called the founders.

967. Did not the members express a desire to have some kind of certificate of membership?—Yes, they wished to have some public testimony that they were engaged in promoting the education of their body.

968. Was that certificate originally intended to imply a qualification, or merely as a certificate of that sort?—It never did imply qualification, nor was it intended to do so.

969. The certificate of membership was merely intended to imply that they were engaged in the improvement and education of their body?—Yes, as identifying them with the Pharmaceutical Society.

970. Have you got a copy of the certificate?—Yes; this document simply certifies that the individual is a member of the society.

971. Has it not been quite a mistake to suppose that this particular document was intended to prove a positive qualification?—It was always a subject of protestation that it did not form a pharmaceutical qualification.

972. Do not these other certificates imply qualification?—Those are distinct evidence of qualification; they are certificates under the hands of the examiners after examination had of the candidate, and are signed only by those examiners who are present and engaged in such examination.

973. Were you cognizant of various communications taking place between your society and various medical bodies, with reference to the constitution of a Board of Examiners?—There were communications with the College of Physicians and the College of Surgeons even before the Pharmaceutical Society itself was established; several interviews and negotiations with those two colleges took place, and also with the University of London.

974. Did not a great number of young men inquire how they were to qualify for the examination?—I am continually now, and have for years past, been applied to by young men as to what course they shall adopt whilst in the country to qualify themselves for examination; what books they shall read. I point out to them some three or four; Lindley, on Botany; Pereira, on *Materia Medica*; Fownes, on Chemistry; and particularly to study the *Pharmacopœia*.

975. Was not it found absolutely requisite to establish a model school of pharmacy to indicate the course of study which young men ought to go through?—It was necessary not only with a view to institute a system of education, but in the hope of bringing forward educated men to become teachers.

976. In the establishment of this school, has everything been done which the experience of other countries and the teachers in this country could suggest, to make the education as complete as possible?—I apprehend so. We have established lectures in chemistry, *materia medica*, pharmacy, and botany; and we have established a laboratory, which is well attended.

977. Have you a statement of the number of pupils who have attended?—Yes; the number of pupils who have attended the laboratory are here stated.

## LABORATORY RECEIPTS and EXPENDITURE for Seven Sessions.

YEARS.	Sessions.	Pupils.	Fees Received.			Professors' Fee.			Salaries, Wages.			Drugs, Chemicals, and Apparatus.			Gas, Coal, and Coke.			TOTAL Current Expenditure.			
			£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
1844-45	1	10	327	12	—	163	16	—	9	16	—	178	5	8	38	5	9	390	3	5	
1845-46	2	27	403	4	—	201	12	—	61	4	—	211	5	6	50	2	—	524	3	6	
1846-47	3	27	445	4	—	222	12	—	109	18	—	241	7	10	69	2	—	542	19	10	
1847-48	4	27	469	16	—	234	18	—	71	14	—	195	11	—	40	5	6	642	8	6	
1848-49	5	31	502	19	—	251	9	6	74	4	—	204	11	7	34	18	—	565	3	1	
1849-50	6	28	529	14	6	264	17	—	73	6	—	237	—	—	43	—	6	618	3	6	
1850-51	7	37	679	7	—	339	13	6	73	6	—	257	18	2	50	4	—	721	1	8	
			£.	3,357	16	—	1,678	18	—	473	8	—	1,525	19	9	325	17	9	4,004	3	6

978. The expenditure stated there has been, I believe, exclusively for the laboratory?—That is exclusively for the laboratory.

979. Have you the number of pupils who have attended the lectures?—Yes; this is the statement.

[The same was delivered in, and is as follows:]

## LECTURES.

SUBJECTS.	Number Delivered.	PROFESSORS.	Fees of Admission.			Numbers Attending.	
1842:			£.	s.	d.		
Botany - - - -	26	Dr. A. T. Thomson, F. L. S.	—	10	6	42	Laboratory pupils free to the lectures, paying laboratory fee of 30 guineas.
Chemistry - - - -	25	George Fownes, F. R. S.	—	10	6	71	
Materia medica - - - -	14	Dr. I. Pereira, F. R. S.	—	10	6	78	
Pharmacy - - - -	13	Theophilus Redwood	—	10	6	78	
1843:							
Botany - - - -	25	Thomson - - - -	1	1	—	30	Laboratory pupils free to the lectures, paying laboratory fee of 30 guineas.
Materia medica - - - -	50	Pereira - - - -	1	1	—	66	
Chemistry - - - -	50	Fownes - - - -	1	1	—	44	
Pharmacy - - - -	25	Redwood - - - -	—	10	6	57	
1844:							
Botany - - - -	25	Thomson - - - -	—	10	6	55	10
Materia medica - - - -	50	Pereira - - - -	1	1	—	39	
Chemistry - - - -	50	Fownes - - - -	1	1	—	39	
Pharmacy - - - -	25	Redwood - - - -	—	10	6	39	
1845:							
Botany - - - -	25	Thomson - - - -	—	10	6	35	27
Organic chemistry - - - -	25	Fownes - - - -	—	10	6	32	
Materia medica - - - -	50	Pereira - - - -	1	1	—	29	
Chemistry - - - -	50	Fownes - - - -	1	1	—	20	
Pharmacy - - - -	25	Redwood - - - -	—	10	6	27	
1846:							
Botany - - - -	25	Thomson - - - -	—	10	6	48	27
Organic chemistry - - - -	25	Fownes - - - -	—	10	6	18	
Materia medica - - - -	50	Pereira - - - -	1	1	—	19	
Chemistry - - - -	50	Fownes - - - -	1	1	—	21	
Pharmacy - - - -	25	Redwood - - - -	—	10	6	20	
1847:							
Botany - - - -	25	Thomson - - - -	—	10	6	46	27
Organic chemistry - - - -	25	Fownes - - - -	—	10	6	6	
Materia medica - - - -	50	Pereira - - - -	1	11	6	19	
Chemistry and pharmacy - - - -	70	Redwood - - - -	2	2	—	27	
1848:							
Botany - - - -	25	Thomson - - - -	1	1	—	24	31
Materia medica - - - -	50	Pereira - - - -	1	11	6	6	
Chemistry and pharmacy - - - -	70	Redwood - - - -	2	2	—	15	
1849:							
Botany - - - -	30	Bentley - - - -	1	1	—	14	28
Materia medica - - - -	50	Pereira - - - -	1	11	6	16	
Chemistry and pharmacy - - - -	70	Redwood - - - -	2	2	—	14	
1850:							
Botany - - - -	30	Bentley - - - -	1	1	—	11	37
Materia medica - - - -	50	Pereira - - - -	1	11	6	9	
Chemistry and pharmacy - - - -	70	Redwood - - - -	2	2	—	10	
1851:							
Botany - - - -	30	Bentley - - - -	1	1	—	9	35
Materia medica - - - -	50	Pereira - - - -	free	—	—	53	
Chemistry and pharmacy - - - -	70	Redwood - - - -	free	—	—	50	



980. Mr. *Ewart.*] The number of pupils seems to have diminished within the last few years?—The numbers have diminished; but you will find, by adding those two columns together, that the numbers are larger than they look to be at the first sight.

981. *Chairman.*] Should the column containing the number of pupils at the laboratory be added to the column of those who attended the lectures?—Yes; they were attending at the same time; they are two classes of pupils.

982. Mr. *Ewart.*] Will that account for the difference in the numbers exhibiting an apparent diminution?—In the first place, we had a great many principals came to the lectures with a view of showing their approval of the establishment of the lectures; many gentlemen in London in trade as principals.

983. *Chairman.*] Did not a good many assistants who are still in their situations attend?—Yes; many assistants attended two and three courses of lectures, who have discontinued, as they considered themselves qualified.

984. That paper shows the expenditure of the school, I think. Have you a statement of the total expenditure of the society?—I have, both of the receipts and expenditure, in round numbers, without the shillings.

[*The same was delivered in, and is as follows:*]

RECEIPTS and EXPENDITURE of the PHARMACEUTICAL SOCIETY of Great Britain,  
from 1 June 1841 to 31 December 1852.

	£.		£.
Subscriptions - - - -	35,595	Investments - - - -	8,810
Donations - - - -	2,908	Printing and delivery of Journals	9,826
Entrance fees - - - -	751	Lectures and other educational purposes - - - -	11,831
Lectures and laboratory fees -	4,432	Library, museum, and apparatus	2,159
Interest of money - - - -	1,863	Charter, arms, and certificate of membership - - - -	979
Balance - - - -	402	Examiners - - - -	54
		Officers and servants - - - -	4,957
		Rent, Rates, taxes - - - -	3,665
		Office sundries - - - -	2,580
£.	45,951	£.	45,951

985. Sir *H. Willoughby.*] What is the annual subscription?—It formerly was two guineas, both for London and the country; afterwards it was one guinea and a half for London, and merely a guinea for the country. Associates in town or country half-a-guinea; formerly it was a guinea.

986. Mr. *Wylde.*] If a person ceases to pay the subscription, does he cease to be a member of the society?—A person not paying his subscription ceases to enjoy the privileges of the society, but he can at any time pay up his arrears.

987. But you still consider him a member of the society, though not a subscribing member, if I understand you?—We had a bye-law which said, that if a member did not pay his subscription by a certain time, he should cease to enjoy the privileges of the members. It was altered to, that he should cease to be a member, but both have been revoked, and at present a person cannot cease to be a member unless he resigns the certificate of membership, having previously given a written notice; therefore, in fact, at this moment any person who has once joined, although he may not have paid, must be held to be a member.

988. *Chairman.*] Has not the school of pharmacy been a very heavy expense to the society?—Very heavy; and there is there, under the head of “Educational purposes,” a very large sum of money; “Lectures and other educational purposes, 11,831 l.;” that is in eleven years.

989. Has not the society, in the prosecution of their object of improved education, considered expense as quite a secondary?—Yes, that has been quite regarded as a secondary consideration.

990. Was the object to establish an effectual system of education?—The object was to establish an effectual system of education for the guidance of future pupils.

991. Has it been all that the society have desired in reference to money, that they should merely have enough to carry on the institution; have they had any

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desire beyond that?—None; there is no desire to accumulate any money or fund beyond the Benevolent Fund.

992. Is the Benevolent Fund entirely distinct from the other fund?—Entirely separate, and it has been kept intact from the beginning.

993. Mr. Wyld.] Is it optional in the members to subscribe to the Benevolent Fund or not?—It is quite optional; but whether they subscribe or not they have the right to enjoy its advantages, if they have been four years on the books of the society.

994. As ordinary subscribing members, without paying to the Benevolent Fund?—Without their paying anything whatever to that fund. Originally, it was contemplated to take a part of another fund, to increase that fund, and in three instances 500*l.* were given out of the general fund, with the consent and by the order of a general meeting of the whole body.

995. *Chairman.*] Subsequently to that time, has that been discontinued?—That has been discontinued, because the receipts and expenditure have been too close together to admit of it.

996. Since that time, has the Benevolent Fund been entirely supported by voluntary subscriptions?—By voluntary subscriptions; and in one instance a very large sum of money was given, arising from a dinner, as contributions.

997. Has it not been always the intention of the society to keep those two subjects entirely distinct, the Educational Fund and the Benevolent Fund?—Entirely; the funds have no connexion.

998. Mr. Wyld.] You do not at this moment appropriate any of the fees received from the students who join your society to the Benevolent Fund?—None of the fees go to the Benevolent Fund, nor any of the subscriptions, because we are not rich enough; we have no surplus, in point of fact, which we could contribute to the Benevolent Fund.

999. *Chairman.*] Is the whole of the income of the society expended in educational purposes, and in keeping up the general establishment?—Just so.

1000. Has the council, from time to time, discussed the state of the school, and the difficulty of inducing persons to come up to the school, and to come for examination without some compulsory powers, such as an Act of Parliament requiring education would afford?—We have hitherto tried to induce young men to come for education voluntarily, but the council feel that they have no power to compel a qualification.

1001. Has that been the great obstacle to the benefit which was intended to have been conferred upon the public by an improved education of chemists?—Whilst young men are not forced to prove their qualification by examination, it is indifferent to them what amount of qualification they possess.

1002. But has the absence of the power of compelling young men to come up for examination in a great degree interfered with the objects of the society in extending education, has it not been found difficult to induce the young men to come up?—The council possesses no power at all to induce them to come up.

1003. But has not the absence of the power acted as an obstacle to the benefit of the institution?—Yes, exactly so; because if there were power to compel their attendance, many who do not come would be obliged to come, or to obtain their education elsewhere.

1004. Has that been the ground upon which the council have exerted themselves to obtain the Bill?—Yes, in order to ensure a universal education.

1005. Has the council come to the conclusion, in your presence, that unless some Bill be passed, making education requisite, it will be impossible for the society fully to carry out its object?—It has long been felt, that without a compulsion, enforced by law, requiring qualification and examination, it cannot be done; that a voluntary society cannot accomplish it.

1006. Sir W. G. Craig.] What do you mean by compulsion; to what extent are you disposed to carry it?—To the extent that the individual shall prove that he is qualified to call himself a chemist and druggist; that the law of the country should say that no man should dispense medicines unless he be properly qualified; and that his qualification shall be tested by examination; an examination to be deputed under the Bill to any power which the Government may think proper.

1007. Then you would establish a monopoly in the hands of the society, in fact, of determining who should act as chemists and druggists?—No; because any person



person may come into the trade of a chemist and druggist if he can prove himself qualified; and I apprehend that it is the duty of the Government to ascertain that he is qualified for the sake of the safety of the public.

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1008. That is saying that no person hereafter shall be entitled to practice unless they choose to give him a certificate?—As a chemist and druggist making up prescriptions, no person ought to be allowed to practice without proving his qualification; my observation is limited to the dispensing of medicines being confined to qualified men, proved to be so qualified.

1009. Over the whole country?—Over the whole country.

1010. Mr. *Bouverie*.] Then the Bill, as it at present stands, does not at all come up to the extent of your desire?—The Bill requires every person who assumes the name of a pharmaceutical chemist to give proof of his qualification by examination.

1011. But supposing a man calls himself a physic seller, and dispenses medicines under that name, the Bill would not prevent that, and so far your object would be defeated?—But dispensing medicines is the act of a pharmaceutical chemist and druggist.

1012. But it is not the act which is prohibited, but the taking of the name or title?—It is so.

1013. Then so far the Bill by no means comes up to the extent of your desire upon the subject?—My desire does not go beyond test and examination.

1014. Does your desire not go beyond the prohibition as to taking the title?—Just so; the Bill asks for no other power.

1015. But I understand you to say, that you would prohibit all persons from dispensing physic, except those who had been examined?—I believe that to be the tendency and simple character of the Bill.

1016. Is that what you think desirable?—Yes.

1017. Then supposing the Bill does not prohibit the dispensing of physic, but merely prohibits the assumption of the name of pharmaceutical chemist, so far the Bill does not come up to the extent of your desire upon the subject; is not that so?—I have no desire myself to see any power preventing a person from selling drugs; what I mean is the dispensing of prescriptions.

1018. Sir *W. G. Craig*.] Then the expression you used of “compulsory powers” was an inaccurate one?—Perhaps so; I mean that the Bill should provide that regulation.

1019. You mean merely to say that there should be licensing powers giving certain privileges?—Yes.

1020. *Chairman*.] Did you mean by “compulsory powers,” that you should compel all those who assume the name and title of “pharmaceutical chemist,” and profess themselves to the public to be such, to pass an examination?—I mean that those who employ the term “pharmaceutical chemist,” or any term similar to that, should pass an examination.

1021. Mr. *Wyld*.] “Pharmaceutical chemist,” or “chemist and druggist”?—Or “chemist and druggist.”

1022. Mr. *Jackson*.] Without the word “pharmaceutical” being attached to “chemist and druggist”?—Exactly; no person to use the term “chemist and druggist,” or “pharmaceutical chemist,” or “dispensing chemist,” without an examination.

1023. Mr. *Wyld*.] Then in fact, according to your idea, this Bill would embrace the whole profession or trade of people who dispensed medicines, would it not?—The apothecaries are exempt under the Bill.

1024. Exempting the regular licentiate of the Apothecaries’ Company?—Yes.

1025. But exempting only the licentiate of the Apothecaries’ Company?—Or such others as are protected and mentioned in the Bill.

1026. “Drysalters, vendors of drugs or chemicals used for any other than medicinal purposes,” or compounders and vendors of patent medicines?—Those are the exceptions, I believe.

1027. With the exception of the licentiates of the Apothecaries’ Company, and “drysalters, vendors of drugs or chemicals used for any other than medicinal purposes, or makers, compounders, or vendors of any stamped, patent, or proprietary medicines, or of horse or cattle medicines,” every other person who dispenses drugs, according to your notion, ought to come under the operation of this Bill?—Certainly.

- Mr. G. W. Smith. 1028. Has this Bill passed under the review of the council of the Pharmaceutical Society?—It has.
- 2 April 1852. 1029. And received their sanction?—It has.
1030. The only alteration they have consented to, I understand you, is to take out the word “toxicology”?—That has been agreed to be left out.
1031. And they approve of every part of the Bill except toxicology?—Yes.
1032. And you consider that they wish it to pass?—Yes; I believe they do.
1033. *Chairman.*] Is there not a committee of the society formed for considering the Pharmacy Bill?—There is a committee, called “the Pharmacy Bill Committee.”
1034. Have that committee considered various other amendments which have been suggested with reference to the Bill?—They have.
1035. Sir H. Willoughby.] Is it the object of your society to get within its grasp all the chemists and druggists in Great Britain?—We desire this measure for the public interest, and our own too.
1036. It is your intention to embrace within the scope of your society all the chemists and druggists in Great Britain?—We desire that; not by the operation of the Bill, but by their own free act. That Bill goes, as I understand, to power being given to the society to examine, and a certificate of their Board is to allow the party to be placed on the register, he will then have the full power to exercise the trade of chemist and druggist, and employ the name, but he will not by that be compelled to come into the society; he can join it as a member of the society at his own pleasure.
1037. Do you mean to allow that any chemist and druggist may exercise his trade as he pleases without coming to the society, if he so choose?—Without joining the corporation and becoming a member of the body corporate.
1038. Then you do not consider, in such cases, an examination indispensable?—An examination must take place before admission into our society.
1039. Do you wish that all the chemists and druggists in Great Britain should be examined by this society?—We do.
1040. Do you wish, as a society, to get legislative power for that purpose?—We do.
1041. Having that legislative power, it would then be compulsory upon every chemist and druggist in Great Britain to come to your society to be examined?—To be examined.
1042. In that case would not the exclusive power of being chemists and druggists in Great Britain be in the parties who were examined by your society; would not the effect of that necessity of examination be, that no one could practise the trade of chemist and druggist in Great Britain without having come to your society?—That would be the result.
1043. Would not that, in point of fact, establish a monopoly, by placing the sole power of dispensing medicine in the parties examined by your society?—It would.
1044. That being the case, in the course of time no man in Great Britain could sell drugs or exercise the trade or calling of chemist and druggist without having been associated with the society?—He could sell drugs, but he could not call himself a chemist and druggist.
1045. Do you to the words “chemist and druggist” add the epithet “pharmaceutical”?—“Pharmaceutical chemist,” or “chemist and druggist.”
1046. Then you assume the words “pharmaceutical chemist,” and “chemist and druggist,” for these purposes, to be identical?—We mean them to be one and the same thing.
1047. Therefore, in point of fact, you mean that every chemist and druggist in Great Britain is to be pharmaceutical?—Yes; every chemist and druggist must be pharmaceutical, because his operations are pharmaceutical.
1048. And that is your object?—Yes.
1049. I perceive that you make a distinction between dispensing medicine and selling drugs: will you explain to the Committee what that distinction is?—A grocer may sell drugs, but he may not be able to compound them.
1050. Mr. Wyld.] Nor to dispense them?—Nor to dispense them; I mean, to dispense them.
1051. Sir W. G. Craig.] But the grocer, under this Bill, is a pharmaceutical chemist?—No, he is not a compounder.
1052. Sir H. Willoughby.] Then I wish to know this: supposing a party wants a dose



a dose of castor oil in a remote village, may the grocer dispense to the party wanting the castor oil any quantity he desires?—Yes.

1053. Will you, if you can, just explain then what is the difference between selling or dispensing a portion of any common drug, and what you call dispensing medicine?—Selling a dose of castor oil would be vending; dispensing would be the compounding of a prescription, consisting of an admixture of several simples.

1054. And that power of dispensing you would place under the monopoly of chemists and druggists?—I would place it in the hands of qualified men.

1055. And by “qualified men,” you mean men who have come to the Pharmaceutical Society, and who have undergone a certain examination, under bye-laws to be laid down by them; is that so?—Yes; such bye-laws being referable to the Secretary of State.

1056. How do you account for that great falling off in the society which took place in 1843; in 1842 there appear to have been 2,313 associates and apprentices, whereas, in 1843, there were only 2,079?—By a reduction of the subscription from two guineas to one guinea, and from one guinea to half-a-guinea.

1057. But that would not reduce the numbers of the society?—The numbers were reduced by many persons not being inclined to go on, when they found it was an annual subscription; they were quite willing at the outset to support the effort which was made in opposition to Mr. Hawes’s Bill, and under that influence they joined the society; but there are many motives which operate to take members away; men get tired, and are worn out by not accomplishing their object.

1058. It is also a fact, that in 1843 the funds of the society were 5,631 £., whereas, in 1850, they were 2,305 £.?—There was a reduction in the subscription.

1059. Probably with that was combined the reduction in the number as well?—The two things combined.

1060. Do you understand that this society is to have the power of imposing any conditions and fees and qualifications upon the examination they please; is that to be entirely within the power of this society?—At the present moment, I apprehend, they would name the fees; it is not in the Bill.

1061. There is no limitation whatever at present?—None provided for at the present moment.

1062. Mr. Wyld.] What are the present fees for examination?—There are none at present.

1063. Then what payment is made by a person desiring to join your society, or how does he become a member of your society?—He subscribes; he pays an annual subscription.

1064. Does your society propose to grant a certificate of qualification without a fee?—No; that I apprehend would be arranged in the Bill.

1065. Do you know what fee they propose to charge for the certificate of qualification?—There will be three examinations, and the total will be about 10 guineas.

1066. Then it would be necessary for a young man who wished to assume the title of “pharmaceutical chemist,” according to your present notion, to pay 10 guineas?—Yes, for three examinations.

1067. He could not be registered without paying that?—Not under the Bill.

1068. Then he must pay 10 guineas before he can be entitled to all the privileges of the Pharmaceutical Society?—Yes.

1069. Do you know how many chemists and druggists there are throughout the kingdom?—About 5,000, and 5,000 assistants.

1070. Do you happen to know what is the fee paid by the gentlemen who become the licentiates of the Apothecaries’ Company?—I do not.

1071. Suppose a man, anxious to become a member of the Pharmaceutical Society, were to pay his 10 guineas, would he be entitled, for that payment, to call himself a member for ever of your society?—No, that would be merely for his examination fees; and then, after he had commenced business, he might be elected a member, and then he would pay an entrance fee of three guineas.

1072. Then the 10 guineas for examination would not make him a member?—The 10 guineas would give him the right and title to practise as a chemist and druggist, and the other three guineas would make him a member of the body corporate.

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1073. *Chairman.*] Is that an existing bye-law of the society, or is it merely under consideration, subject to the view of this Committee?—It was merely put as a supposition.

1074. It is not a bye-law of the society?—It is not.

1075. Sir H. Willoughby.] Have you any notion of the number of parties who annually would require to be examined, assuming that your view was carried out?—It is estimated that there are about 200 persons who go into business as chemists and druggists every year.

1076. Is not that rather a low computation?—Our present president and I have agreed upon that as about the number, and we judge from different sources of information; we have not at this moment any opportunity of getting an accurate statement of it.

1077. Do not you think that it would entail upon a young man wishing to enter into the trade, and living in Northumberland or Cornwall, or other of the distant counties, a very heavy obligation, in being obliged to come up to London and pay those fees?—No; because I think the majority of young men come to London; in point of fact, they are obliged to adopt that plan; they must come for the purpose of getting their education, or of completing it. The education which they obtain as apprentices not being sufficient, they seek situations in London, both for improvement and for employment. I had not an opportunity for improvement in my time; there were no schools; I was exceedingly anxious for a scientific education, but I could not obtain it in this country.

1078. Mr. Wyld.] Is it the usual custom of persons who practise as chemists and druggists to come to London for educational purposes?—Yes.

1079. A young man who wishes to rise to eminence generally comes to London for instruction?—Yes; in fact, a young man who does not wish to come to London is thought nothing of.

1080. Therefore you do not entail by the establishment of this society any increased expense upon young men in that respect?—Not the slightest.

1081. Sir H. Willoughby.] Do you mean to say that all the persons who enter upon the calling of chemists and druggists in England and Wales are brought up in London?—Not brought up in London, but they serve their time in the country, and afterwards come and live in London for six or 12 months for improvement; we have a continual stream upon us of young men; young men applying for situations is an every day occurrence.

1082. Granting that there are some who come, are you able to state that that is the fact with the great mass?—Yes.

1083. Mr. Wyld.] To a chemist in a small country town, would it not be a very heavy tax to be compelled to pay his 13 guineas for joining this society?—We are accustomed to pay handsome premiums; the class of young men in the trade are able to do it.

1084. I want to see what amount of expenditure would be necessary for a young man who wished to enter the business of a chemist and druggist; because you must observe that if the fees were very high, it would create a monopoly in the hands of the richer classes, to which the spirit of the age is opposed. I wish therefore to ascertain what the expense to a young man would be in joining your society, if this Bill became a law?—If you take the 10 guineas for the examinations, and three for the entrance fee, that would be only 13 guineas.

1085. Would he not be compelled to pay an annual subscription?—At the present time it is so.

1086. Then according to your idea he would, after paying the 13 guineas, be entitled to become a member of the Pharmaceutical Society for life?—I apprehend that under the arrangement which will take place that would be so; at present our subscription is an annual subscription.

1087. *Chairman.*] Are not those details and arrangements dependent very much upon what may be the decision in reference to the Bill?—Entirely so.

1088. Mr. Bouverie.] To what cause do you attribute the decrease in the number of members in the last few years?—The disappointment which has arisen from the circumstance of the council not having progressed in obtaining an Act.

1089. Was that expectation of getting an Act always held out?—Always from the first, because it was felt that no education could be carried on in this country without the support of the Legislature.

1090. Have they been continually making efforts to get an Act?—They have made



made efforts to get an Act on several occasions; it has been the general endeavour. Mr. G. W. Smith.

1091. Lord *Burghley*.] I perceive that there has been a gradual decline in the numbers from the year 1843 up to the present time?—Yes, many came in at first, considering that there was a chance of accomplishing the objects of the society.

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1092. Mr. *Wyld*.] Of course you have held communication, as the secretary of the society, with the chemists and druggists throughout England?—I have.

1093. Have you found that the standard of education has been much improved since the establishment of the Pharmaceutical Society?—Yes, I have the evidence of that around me, in the young men who attend the lectures, and receive the instruction of the laboratory.

1094. Do you know anything of the history of chemistry at the present moment?—I consider it to be very much on the advance with regard to our own body, not only in the education which we give in the institution, but in the inquiry and application exhibited by the young men in the country, who, anticipating an examination, are preparing themselves by careful study during their apprenticeship.

1095. Is it not the fact, that the chemists in England, as a body, have made very few discoveries in chemistry?—Very few.

1096. In fact, almost all the great discoveries have been by foreigners?—Yes, almost all the great discoveries have been by foreigners; and that I attribute to the absence of scientific education in our own country, more than to want of capacity. The capacity is quite within us, if we had the opportunity of exercising it.

1097. Mr. *Bouverie*.] It was stated by Mr. Savory that there had been some communication with the chemists of Scotland with respect to the previous Bill, that they had objected to the omission of Scotland from the Bill?—The Bill was first intended to apply merely to England and Wales, but the Scotch, having a desire for the education of their body, begged to be included in any endeavour we made with the Legislature.

1098. Who were the body who made that request?—The chemists and druggists residing in Edinburgh.

1099. As an association, or merely individual members of that body?—As individual members of our society.

1100. Then you had members of your society residing in Edinburgh?—Yes.

1101. They requested that the benefit of such a Bill should be extended to them?—Yes, that the benefit of such a Bill should be extended to them.

1102. Have you had that desire expressed to you on the part of any of the medical bodies in Scotland?—We have had no official communication on our part with any of the medical corporations of Scotland.

1103. The objection to the omission of Scotland solely was on the part, so far as you know, of the chemists and druggists who belonged to your society?—Yes, but many others entertained the same opinion. I can give a proof of it if required.

1104. What evidence have you of that?—By their joining the society themselves; 70 or 80 have joined this year.

1105. Gentlemen in Scotland?—Yes.

1106. Residing in various parts of Scotland or in Edinburgh?—In various parts of Scotland; some 8 or 10 places.

1107. Have you had any students who came from Scotland?—No; they have the means of education there.

1108. *Chairman*.] Are there not institutions in Scotland; medical schools, for instance, where they might obtain an education in case an Act were procured, making it requisite for them to pass an examination?—They have schools for that purpose.

1109. In Edinburgh?—Yes.

*Jovis, 22<sup>o</sup> die Aprilis, 1852.*

MEMBERS PRESENT :

Mr. Jacob Bell.  
Mr. Ewart.  
Mr. Bouverie.  
Sir W. G. Craig.  
Sir H. Willoughby.

Mr. Deedes.  
Mr. Hindley.  
Mr. Jackson.  
Mr. Farrer  
Mr. Wyld.

JACOB BELL, ESQ., IN THE CHAIR.

Dr. *Hofmann*, called in ; and Examined.

Dr. *Hofmann*.

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1110. *Chairman.*] YOU are Professor of Chemistry in the Royal College of Chemistry, are you not?—I am.

1111. Did you study in the laboratory of Liebig?—I did.

1112. And are you acquainted with the laws relating to pharmacy in Germany?—Pretty well.

1113. I believe you call pharmaceutical chemists apothecaries there?—Yes.

1114. Do they study chemistry, pharmacy, materia medica, and botany before they are allowed to commence business?—Decidedly ; they are compelled to study those sciences by regulations made by the Governments in Germany.

1115. Do most of them go to the laboratory of Liebig or to some similar laboratory?—Most of them go to a chemical laboratory ; but they do not all go to the laboratory of Liebig, as there are many universities in Germany where similar establishments are to be found.

1116. During how many years are they engaged in education, and what is the first step?—Perhaps the Committee will allow me to describe the course of studies pursued by a student of pharmacy in Germany generally. Before he becomes an apprentice, he has in many of the German States to pass a very slight examination, which is usually conducted by the medical officer of the Government in the district.

1117. What is the nature of that examination?—The object of that examination is merely to ascertain that he is well grounded in such rudimentary knowledge as every man should possess ; that he reads and writes well, that he is well acquainted with the principles of arithmetic ; and knows the rudiments of Latin ; he then becomes an apprentice, and his apprenticeship usually lasts from three to four years ; three years is the minimum and four years is the maximum ; after that he has to pass an examination at the board appointed by the Government, consisting of pharmaciens and medical men ; after which he receives the title of assistant, that is to say, he may then go to any chemist and druggist and become an assistant.

1118. Is he prohibited from becoming an assistant until he has passed that examination?—Yes ; after he has been an assistant for three or four years he is admitted to a second examination, which in Germany is called a State examination, and only after this he may become a member of the profession ; that is to say, he can either set up in business for himself, or become the superintendent of an establishment belonging to another person.

1119. Mr. *Ewart*.] Then he undergoes a probation of eight years, four years as an apprentice and four years afterwards?—It varies to a certain extent in different states ; it varies between six and eight years.

1120. *Chairman.*] During what period of the time to which you have alluded, is he engaged in attending lectures or practical classes?—During the time he is an assistant ; during this time he either devotes himself for a year or two exclusively to the study, or he endeavours to obtain a situation in a town, where, whilst he is going on with his occupations, he is enabled to devote a certain



tain amount of his time to studies ; on this account, assistantships in pharmacies in university-towns are always very much looked for, because they enable a young man to be an assistant, and at the same time to be engaged in the study of chemistry, botany, and collateral branches of science ; in this case he very frequently makes arrangements with the proprietors of pharmaceutical establishments to allow him a certain number of hours a day for scientific pursuits, and for attending lectures. Frequently, however, young men attend for one or two years at the universities without being at all in business during that time. I am speaking especially of Prussia and the States in the middle of Germany ; I am not precisely acquainted with the regulations in Austria, although I know them to be of a similar character.

1121. Can you give us an idea of the expense of going through such an education as that?—If a student goes through one year's education in a university he can do it for a sum varying between 30*l.* and 60*l.*

1122. According to the extent to which he carries his studies?—According to the extent to which he carries his studies, and according to the mode in which he lives ; the sum which I have mentioned of 30*l.* or 60*l.* a year includes, besides fees which he has to pay at the university, the cost of his living during that period.

1123. The cost of living is much less in Germany than it is in England, is it not?—Very much so.

1124. Are there any fees paid upon the examination?—In most cases mere nominal fees.

1125. Do these establishments maintain themselves by the fees, or does the Government pay the expense of them?—The Government assists in paying the expense of them ; the German universities are conducted upon this principle : the professors receive a certain amount of remuneration from the Government ; that is about as much as they require to live on, but they receive an additional amount in the form of fees ; therefore a professor is very much interested in having a good class, although he is not altogether dependent upon it.

1126. Then these institutions are not at all self-supported?—No, they are not self-supported.

1127. Are the professors in the schools also examiners?—Not in the case of pharmacy.

1128. Are they in the medical profession?—In the first two examinations of the medical profession they are.

1129. Are the examiners generally persons who have been pharmaciens, and who have gone through the course of education which you have described?—They usually consist of pharmaciens and of medical men.

1130. Is it strictly prohibited to practice pharmacy without having gone through all the forms of education and examination?—Strictly prohibited.

1131. Do medical men ever practice pharmacy?—Never.

1132. Do the pharmacutists prescribe and attend patients?—Never.

1133. Is the law very strict in separating those two branches?—Very strict indeed.

1134. Is no such thing permitted as the administration of medicine occasionally in the shops of the pharmacutists, or do exceptions ever occur on emergencies, or in the case of poor people?—There might be cases of emergency in which it might be done ; but such cases must be exceedingly rare, because a pharmacien is strictly prohibited from selling medicines except on a recipe written by a medical man.

1135. And must that recipe be repeated or signed each time the medicine is required, or may the patient have the medicine prepared as often as he thinks fit?—The patient may have the medicine prepared so often as he thinks fit.

1136. Is that the case if it contain opium or any other poisonous ingredient?—I am not prepared to give a decided answer to that question, but I believe that if the medicine contains any poisonous substance, and the pharmacien does not know the party, he will not repeat it except by the order of the medical man ; I believe that to be the case, but I wish it to be understood that I do not speak positively upon that subject.

1137. Does this system of education cause the science of pharmacy to be much superior in Germany to what it is in many other countries, and do many skilful scientific men spring out from the class of pharmacutists?—Decidedly so ; some of the first chemists in Germany have been pharmacutists.

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1138. Could you name some whose names are known throughout Europe?—I must mention at once a name which is well-known over all the world, the name of Professor Liebig; he commenced as a pharmacist; I might name some other chemists of Germany, whose names however are not so familiar; Trommsdorff was a pharmacist; and so also was Geiger; then again Varrentrapp, Fresenius and Will were pharmacists. As to France, I might give a very considerable list of names: M. Dumas, the late Minister of Commerce and Agriculture in Paris, studied as an apothecary's boy in Geneva, and was an apothecary for several years; he afterwards went to Paris where he continued an apothecary, and then gradually rose to the eminent position which he fills at present; Baron Thenard, Chancellor of the University of France, started as a pharmacist; he was a pupil of Vauquelin, whose name is well known in the annals of chemistry. I might mention, in addition, M. Robiquet and M. Pelletier, who are also well known; M. Persoz, the author of the best work we possess on calico printing, a book which is familiar to all persons engaged or interested in this pursuit, and who is now a Professor at Strasburgh, was also a pharmacist.

1139. I suppose there are many others?—Yes, there are many others I dare say, with whose history I am not acquainted.

1140. Do France and Germany furnish a number of scientific men to other countries for purposes where science is necessary?—I may answer that question in the affirmative; Germany, for instance, supplies Russia entirely; it supplies moreover the countries inhabited by the Saxon race, while the French go to Spain, Italy, and to South America; I could quote several illustrations of this assertion.

1141. Do you consider that the laws existing in this country respecting pharmacy, are in a proper state with reference to the safety of the public?—I may state that according to my experience fatal cases, arising from the incompetent exercise of the pharmaceutical profession, occur in this country far more frequently than they do in Germany.

1142. Do you think that in the absence of any compulsory examination it would be impossible to obtain an entire reform of those abuses arising from incompetence?—I think so.

1143. You think the voluntary principle would not altogether succeed?—I fear it will not.

1144. Among your students at the College of Chemistry have you several who are preparing to be pharmaceutical chemists?—There are always some who intend to become pharmacists.

1145. Considering the number of pharmaceutical students that there are, do you think there are as many as you would have if they were all obliged to study their profession?—Decidedly not. I may state that in Germany the pupils of the chemical laboratories in every university are chiefly students of pharmacy.

1146. About what number have you in those establishments; have you as many as 50 or 60?—It would be difficult to state the number, because it varies to a considerable extent in different universities. I am not prepared to give a statement as to the whole number, but I may quote the result of my experience. I was in Giessen about five years; for three years I was a student myself, and the two last years I was assistant to Professor Liebig; the number of students in pharmacy I may fairly estimate at 40 in that university; if you consider that Giessen is one of 20 or 24 universities, and that it is one of the smallest universities, although, perhaps, the number of pharmaceutical students was greater in consequence of Liebig's name, you may obtain a fair average of the number of pharmaceutical students in Germany altogether.

1147. Have you in your college the means of instructing the pharmaceutical chemists in everything they would require respecting chemistry?—We have.

1148. Do you think it would be desirable to introduce an improvement in the law of this country upon the subject?—I think so.

1149. Have you any other statement or any suggestions which you think it important to make to the Committee, with a view to a proposed improvement in the law?—I am scarcely prepared to offer any suggestions as to the mode in which such an improvement could be carried out.

1150. Do you think that, as a part of that improvement, whatever it might be, a compulsory examination is essential?—I think that without a compulsory examination, it would be impossible to effect a regular change in the constitution of this body.



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1151. Mr. *Ewart*.] Do you consider the science of pharmacy in Germany superior to what it is in England?—Decidedly so.

1152. And you consider that a pharmacien (giving him his proper appellation) in England, is not equal to a pharmacien in Germany?—Decidedly not, in a scientific point of view.

1153. You stated that when an apprentice passed his first examination, he was examined by a Government medical man?—Yes.

1154. Have they in Germany medical men appointed by the Government in different parts?—They have.

1155. For what purpose?—For performing several duties which are separated in this country; the state-officer of health, for instance, has to do the duties which the coroner has to perform in this country; he has to attend to the poor to a certain extent. He has to report on medical questions; in fact, a variety of duties are combined. The number of these medical officers is greater also in Germany than it is in this country. They have to superintend a smaller district than in this country, and therefore the number is greater in proportion.

1156. Can any death occur without the cause of it being inquired into by the Government medical man?—The Government medical man has to make a report, but the matter is by no means conducted with that circumspection and publicity which is remarkable in this country, though we are looking forward in Germany to an improvement in that direction.

1157. Do you not think that having a public investigation is of great advantage?—Of the greatest possible advantage.

1158. *Chairman*.] Are the laws very strict with respect to the sale of poisons?—Very strict indeed.

1159. Is the sale of poisons permitted except by an apothecary (or pharmacist)?—Nobody can sell poisons except an apothecary, authorized by Government to exercise his profession after he has passed his examination.

1160. Are the shops inspected with a view to see how they arrange their poisons, and whether their drugs are of good quality?—Decidedly; a regular inspection is made from time to time; usually it is by some members of the same commission who have to conduct the examination of the candidates.

1161. Is the sale of secret medicines permitted in Germany?—It is not prohibited.

1162. Does it exist to any very great extent?—Where does quackery not exist?

1163. Mr. *Hindley*.] Is the sale of drugs and medicines confined to pharmacians in Germany?—Yes.

1164. So that medical men do not sell their own medicines?—They never sell their own medicines. Some fifty years ago, the medical and pharmaceutical professions were united in Germany in a somewhat similar manner to the combination existing at this moment in this country in the case of general practitioners; but I do not recollect at present any instance of a medical man who is at the same time a pharmacien; this practice, I believe, is perfectly abolished in Germany.

1165. And you think that that division is useful?—I think it is very beneficial.

1166. Mr. *Ewart*.] No pharmacien can prescribe in the slightest degree, if I understand you right?—Not in the slightest degree; if he does he is amenable to the law.

1167. If a person complained of a headache or of a cold, he could not get from a pharmacien any medicine as a remedy for that?—No; I do not mean to say that it is not done sometimes, but it is strictly prohibited by the law.

1168. Mr. *Hindley*.] What is the penalty?—A fine.

1169. Mr. *Ewart*.] Have you this usage, that no pharmacien could sell poison or other pernicious drug except in the presence of a witness?—The customer has to bring a written permission from the Government Officer of Health, but in the absence of that, the pharmacien would take the signature of any medical man; they prefer, however, to have the signature of the Government officer; of the Physicus, as he is called.

1170. *Chairman*.] Does that regulation refer to a certain list of medicines contained in a schedule, which are considered as poisons, or does it refer to any substance, which in a large dose is dangerous to life?—I believe to any substance which taken in large doses acts as a poison.

1171. Mr. *Ewart*.] What is the difference, according to your German definition,

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nition, between the Medicus and Physicus?—A Medicus is a medical man, but a Physicus is a Government medical man; he receives a salary from Government.

1172. He is a species of medical man?—Yes; he is allowed to practice as any other medical man, but he has certain duties to perform for Government, for which he receives an annual salary.

1173. May any person who has passed his examination set up as pharmacien at any time he pleases?—No; the number of pharmaciens in different districts is restricted, and no new apothecary's shop can be established without good cause being shown to the Government, in fact, without the permission of the Government. In a German town (Darmstadt) which I know particularly well, with between 24,000 and 30,000 inhabitants, there were some years ago four pharmaceutical establishments; but of late, the population having very considerably increased, the officer in the Ministry who deals with this matter thought it desirable to have another apothecary's shop in the town, and therefore the number has been increased from four to five. But it is decidedly restricted; it is very difficult to obtain permission to establish a new pharmaceutical shop in any part.

1174. *Chairman.*] Are these establishments handed down from father to son?—They are handed down from father to son, and they are transmitted by sale. I should mention, however, that this practice, which in the eyes of an Englishman may appear rather strange, is to a certain extent intelligible, as the Committee will at once perceive when I inform them, that pharmacutists are not allowed to sell their drugs at any price they like; the prices are not regulated by competition, but by a Government scale; they have to furnish medicines at a certain rate; and in the case of poor persons, for instance, if a man can show a certain certificate he is obliged to deliver his medicines at an inferior price. Again, there are some drugs which are exceedingly rare and very seldom employed, and which perhaps cannot be kept, and may be spoiled by keeping; but the pharmacist is compelled by law to have those drugs at his shop; and whenever the Commission goes round in order to examine the shops, a pharmacist would be amenable to law if any one of those rare medicines were not found in his establishment; he has his rights, but he has also his duties to perform.

1175. *Mr. Wyld.*] Does what you have stated apply to the whole of Germany?—I speak chiefly of Prussia and the small states in the middle of Germany; but the same rules are followed in Bavaria, and very similar restrictions are kept up in Austria; although I am not practically acquainted with the regulations which prevail in Austria, I know they are similar to those I have described.

1176. *Sir H. Willoughby.*] What meaning do you attach to the word "pharmaceutist"?—A pharmacist I call a man who deals in drugs, and who makes up prescriptions for medical purposes.

1177. You make no distinction between the chemist and a druggist?—We make no distinction of that kind, inasmuch as we apply the term chemist to a perfectly different being from a pharmacist; a pharmacist ought to be acquainted with the principles of chemical science, but a chemist need not be a pharmacist.

1178. In small villages in Germany, how would the people get common drugs?—In small villages, where there are no apothecaries' shops, the people are compelled to go to the larger towns; but in many cases the pharmacutists of towns are permitted to have what are called filial establishments in densely populated rural districts; if in some special locality it is found inconvenient for the population to go a distance from the town, the pharmacist of the neighbouring town establishes a small village apothecary's shop.

1179. *Mr. Ewart.*] What might be called a branch establishment?—Yes, a branch establishment.

1180. *Mr. Wyld.*] I understand you to say, that the sale of drugs is completely under the control of the Government department?—It is completely under the control of the Government department.

1181. Is any money paid for liberty to open these pharmaceutical establishments?—You cannot establish them without the permission of the Government; that permission cannot be obtained by paying a fee, but only by showing good ground that a given district requires an additional establishment of this description.

1182. There is no fee paid?—There is a nominal fee in all these things, but no regular



regular fee ; if you want to practice as a pharmacist, you can buy an establishment of the kind ; and such establishments are sold at immense prices in general in consequence of these restrictions.

1183. *Mr. Ewart.*] Does the person who purchases undergo an examination ?—He could not continue it unless he had passed an examination.

1184. He must have gone through an examination ?—Yes ; he might purchase an establishment of this description, and have it superintended for him ; but in such case the person who superintends it must be a man who has passed the state examination, and he would be in every case on a par with his master as to scientific education.

1185. *Chairman.*] In that case the superintendent would be responsible for the proper management of the establishment ?—Yes ; for instance, if the head of an establishment dies, and his widow continues the business, she is compelled to have in that establishment a superintendent who has passed all the Government examinations.

1186. *Mr. Ewart.*] The same thing would apply to a capitalist, would it not ; if a capitalist invests his money in the purchase of such an establishment he must have a subordinate who has gone through the requisite examination ?—Decidedly.

*Mr. George Walter Smith*, called in ; and further Examined.

1187. *Chairman.*] HAVE not several persons come from abroad for the express purpose of obtaining the diploma of the Pharmaceutical Society after examination ?—We have had six gentlemen from the Mauritius.

1188. Have some of them kept up a correspondence with the society, and furnished specimens for the museum ?—We have received contributions from the Mauritius, and also from Demerara.

1189. Has there been any from Madeira ?—Yes ; *Mr. Nobrega* has sent us a large number of specimens, and he has also sent some to the Botanical Society.

1190. Did he tell you he was unable to open a shop in Madeira unless he had passed an examination, and that, therefore, he wished to have a diploma ?—I am not aware that such regulation applies to Madeira, but I know it does to Portugal and the Brazils, and therefore I apprehend it would.

1191. Have branch or auxiliary associations been established in different parts of this country, since the establishment of the Pharmaceutical Society ?—Yes, in a number of places ; Bath, Birmingham, Bristol, Exeter, Liverpool, Manchester, and Norwich, and a scientific library has also been formed at Colchester.

1192. Have these parties corresponded with the Pharmaceutical Society, with a view of co-operating with it in preparing the students for examination ?—Yes, lectures and laboratories have been instituted.

1193. And libraries ?—And libraries.

*C—Baschet*, called in ; and Examined.

1194. *Chairman.*] DO you reside at the Mauritius ?—Yes.

1195. You have come to this country, have you not, for the purpose of obtaining a diploma to qualify you to commence and carry on business there ?—Yes.

1196. Are you at this time a student in the establishment of the Pharmaceutical Society ?—Yes, I am.

1197. Is the law very strict in the Mauritius respecting the practice of pharmacy ?—Very strict ; I cannot carry on the business without a diploma.

1198. Is it common to go to France for this diploma ?—Yes, very common.

1199. It is only recently that diplomas from England have been received, is it not ?—Yes, only lately ; it has never been refused.

1200. Is a diploma from England considered equivalent in the Mauritius to a diploma from France ?—Yes.

1201. Is the practice of medicine separated from the practice of pharmacy in the Mauritius ?—Yes, it is quite separate.

1202. Are medical men prohibited from selling drugs, or dispensing their own medicines ?—Yes, they are strictly prohibited.

1203. And are pharmaceutical chemists prohibited from prescribing ?—Yes.

1204. Do they ever in cases of emergency, or in cases where poor people come

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*C. Baschet.*

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to them, transgress that law which prohibits them from prescribing?—Yes, they may do so, but it is not allowed to them.

1205. But is it, in point of fact, done occasionally?—Yes, a person may do it sometimes, but he is not allowed to do it.

1206. Is he liable to a penalty if he does it?—Yes, he may be informed against for doing it.

1207. And if a medical man were to sell drugs or dispense medicines, would there be a penalty against him?—Yes, a chemist can inform against him.

1208. Do you know the reason why this separation is kept so strictly?—It always was the same in the Mauritius; and I think the practice is the same in France. It was introduced into the Mauritius when that island belonged to France.

1209. Then, in fact, the regulation which prevails there is similar to the regulation which exists in France?—Quite similar.

1210. Is it considered that a person who is engaged in medical practice would not be able to devote the requisite attention to his shop, if he had one?—No, a surgeon cannot be in his shop; his diploma, as a surgeon, does not allow him to have a shop, he must specially study pharmacy; a surgeon cannot do it.

1211. Is it considered to be sufficient to occupy the entire attention of a pharmacist to take care of his own establishment?—Yes, a pharmacist is obliged to stop in his shop always; he cannot leave the place where his shop is established.

1212. Is it necessary for his assistants to be examined and educated as pharmacists?—No, it is not necessary.

1213. Then is the proprietor of the shop responsible?—Yes, he is responsible for any mistake his pupil may make.

1214. Are secret medicines allowed to be sold in the Mauritius?—Yes, they are allowed to be sold.

1215. Are poisons kept in a different part of the shop?—Poisons are only kept by chemists, but carbonate of lead and sulphuric acid, and other things which are used in art, are sold by merchants.

1216. Is there any law respecting the keeping of poisons under lock and key?—Yes, strictly. We cannot deliver any poison without the prescription of a doctor. We cannot deliver one drop of laudanum without the special prescription of a doctor.

1217. *Mr. Ewart.*] Can you sell any medicines without a medical prescription?—We cannot sell injurious medicines without the prescription of a doctor, such as opium, acids, and so on.

1218. Carbonate of soda may be sold?—Yes, and rhubarb, ipecacuanha, jalap, magnesia, and things of that sort, we can sell without the prescription of a doctor.

1219. And can you prescribe?—No, we cannot.

1220. *Chairman.*] Do these regulations apply to small towns as well as to the large cities, or how are the public in small places supplied with medicine?—In every district we have a chemist.

1221. And they are all educated?—They are all educated.

1222. *Mr. Hindley.*] Are these drugs examined by any authority?—From time to time by a committee composed of the chief doctors and by police officers; two or three medical men, two or three surgeons and one chemist, examine every shop to see that there is not any spoiled medicine in it, and if any is found it is thrown away.

1223. How often is this examination conducted?—Sometimes once in two years, and sometimes once in three years; there is not any fixed time for it.

1224. *Mr. Ewart.*] There is no Custom-house examination, is there, on the importation of drugs?—The drugs pass the Custom-house. There are certain substances, such as opium, for instance, that no other person than a chemist can import. The coolies smoke opium when they can get it, and use it to an extent which is very prejudicial.

1225. *Chairman.*] Are the drugs examined at the Custom-house in order to ascertain whether they are pure or not?—No; it is only a commercial examination there.



Dr. *Hamberg*, called in; and Examined.

1226. *Chairman.*] I BELIEVE you are Assistant Professor to some establishment at Stockholm?—Yes, the Royal Caroline Institution, and to the Pharmaceutical Institution in Stockholm.

1227. Are you a professor of pharmacy?—Yes, I am assistant professor of pharmaceutical chemistry.

1228. Are the pharmaceutical chemists in that country obliged to pass through an education and examination?—Yes, they are obliged to pass through two examinations.

1229. Will you give a sketch of the kind of education they must pass through?—If a pharmaceutical chemist wishes to take an apprentice, the apprentice must be 15 years of age, and he must have gone through a school-course of geography, and modern languages, and Latin; and when he has been under apprenticeship for three or four years, he can pass his first examination in botany, chemistry, and pharmacy, and in the German and Latin languages; the pharmacopœia is written in Latin, and therefore he must pass an examination in that language. Then, after three years' practice, he can pass the other examination as assistant in the shop, and he is after the first examination answerable for the medicines which he dispenses; but as an apprentice he is not answerable, and he is not allowed to sell any powerful medicines, but only medicines which are innocent, and if his master allow him to so sell any other the master must answer for it.

1230. Mr. *Ewart.*] I understand you to say that before he is apprenticed, he is examined in modern languages; what modern languages?—German and French.

1231. That is all?—That is all at that time.

1232. Not in English?—No, not in English; but I hope English will be included.

1233. He is examined in Latin afterwards?—Yes, in Latin afterwards; if he is not acquainted with the Latin language, the pharmaceutical chemist, the proprietor of the shop, must take care of his education in Latin, and no one can get admission into the Pharmaceutical Institution without a certificate of having passed the first examination.

1234. *Chairman.*] Then what is the second examination?—That is what is called the apothecaries' examination.

1235. The one which enables him to possess a business of his own?—Yes, and that examination must be passed in Stockholm, at the Pharmaceutical Institution, and it is performed by two professors of the Royal Caroline Institution and two apothecaries in Stockholm.

1236. Are these institutions under the Government?—Yes, they are.

1237. Does the Government pay any portion of the expenses?—Yes, the Government pays a part of the expenses every year, and the Apothecaries' Society pays another part.

1238. Is a part of the expenses paid by fees from the students?—A little fee, only about one pound a year for the whole education in the laboratory, and for attending the lectures, but the pupils at the Pharmaceutical Institution have free admission to the lectures at the Royal Caroline Institution.

1239. Do the apothecaries assist in the compilation of the Pharmacopœia?—Yes; in the last edition, two apothecaries were on the Committee.

1240. You use the term "apothecary" to denote a pharmaceutical chemist in your country, I believe?—No; in my country we have only two bodies for the sick people to apply to; the physicians are the only medical practitioners, and the apothecaries are the only persons who sell medicines; a physician is not allowed to sell any medicine.

1241. Does the apothecary prescribe?—No, not at all; they have no right to practise medicine.

1242. Do they ever do so in point of fact, although it is unlawful?—It is unlawful to do it.

1243. Do they ever transgress the law?—I have not heard any instance of it.

1244. Does the education which they go through, being confined strictly to pharmacy, induce them to keep within due bounds; they have no medical examination, I think?—No, they have not; they have only an education in chemistry, pharmacy, and languages, not in medicine. We have barber surgeons; but every man to perform a surgical operation must be a doctor of medicine; and when he has taken his degree, he can take to surgical or medical practice, as he likes.

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1245. You

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1245. You have barber surgeons, have you?—They apply leeches, and so on.

1246. Do they cup?—Yes, and they attend sometimes people who may have been fighting, or received very slight injuries, and so on.

1247. *Mr. Ewart.*] Do the barber surgeons undergo any examination?—Yes, and the dentist too; they must pass through an examination.

1248. *Chairman.*] The barber surgeons do not set broken legs, or perform operations, do they?—No.

1249. Is it the case that the law in your country prohibits any person from doing that which he has not been thoroughly educated for?—Yes.

1250. *Mr. Hindley.*] Does not the law in Sweden go further, and prevent a person from doing that for which he has been educated, unless he has the sanction of the Government; may a person establish a pharmacy or a pharmaceutical shop if he pleases?—Not without a diploma.

1251. But may he if he has a diploma?—The shops are limited in Sweden.

1252. So that there is a monopoly of the whole profession?—Yes; if a person wishes to open a new shop he must have the permission of the Government.

1253. Is that permission easily obtained?—No, it is very difficult to obtain it.

1254. So that these shops become property, and are sold in the market?—Yes, that is so, and it is a bad thing that it is so.

1255. Do you know how many there are in Stockholm?—Fourteen.

1256. And have there been any granted lately?—No, not for twenty years.

1257. Notwithstanding the increase of population?—No; they consider those too many.

1258. Who consider them too many, the people or the pharmacutists?—The pharmacutists find their income not so good; the consumption of medicines is not so great at this time as it formerly was.

1259. Do you think that that is a good system?—Yes, I think it is the best.

1260. So that you would not allow an unlimited exercise of pharmacy?—No; in Denmark I think there are ten shops to a population of about 130,000., and the shops are extremely good there.

1261. *Mr. Ewart.*] Is there free competition in Hamburgh?—No, they are limited in Hamburgh, and so they are in Finland, Russia, and Norway.

1262. *Chairman.*] Do regulations, similar to those you have mentioned, exist in those countries?—Yes, quite similar to the Swedish.

1263. *Mr. Ewart.*] Are there a sufficient number of pharmaciens for the poor people of the country in the agricultural districts?—Yes, there have been some new shops allowed within the last few years, but the parties must all have passed a second pharmaceutical examination.

1264. Then in the remote districts of the country they are not obliged to have recourse to barber surgeons?—No.

1265. Have you ever observed any great difference between your pharmacopœia and the English pharmacopœia?—Yes, there is a difference; there are some articles in the English pharmacopœia which we have not in ours, but they are not so very different. The shops in England are of very different quality, and I think that in this country everybody can find the very best shops, though there are very bad ones also.

1266. Do you think the public are better supplied with a large quantity of the best drugs here than they are with you?—I think they are better supplied here; it is not so easy with us to get them.

1267. *Chairman.*] Do you think the supply is uniformly good, or that there are some places where good drugs can be obtained, and others where they are not to be had?—Yes, I think so; there are shops of both kinds good and bad; in walking about in different parts of the town I have observed them. I went into one shop, and was astonished to find a woman standing behind the counter, though I may say, to her praise, that she managed very well; she seemed to be quite acquainted with the medicines, and dispensed them very quickly; “dispense,” however, is not the right word, for she did not weigh anything, but only sold by hand.

1268. Did she not weigh the ingredients?—No, she only sold by hand. I wanted to see if she was acquainted with the pharmacopœia, and therefore I inquired for acidum gallicum, but she did not understand what I meant.

1269. Was this in London?—Yes, it was in London, about the City-road or the New-road, I think; she was the only attendant in the shop; I think it was the wife of the pharmaceutical chemist.

1270. Have you visited any other shops where you found the business was not well



well conducted?—Not many; I have seen many shops very well fitted up, and laboratories quite as good, perhaps better, than those on the Continent.

1271. Do you think that if an examination were compulsory in this country a general improvement would be the result?—Yes; I think it would be very useful, and I think it is necessary.

1272. Are you very strict in protecting the public against accidents from poison?—Yes; the regulation with regard to poison is very strict; a pharmaceutical chemist must keep poisons locked up, and he is not allowed to sell arsenic or other poisons without the prescription of a physician, except to a person who can present a certificate from the College of Commerce, that he requires to use the article for the purpose of his business. With reference to a question which has been put to a former witness as to the investigation of medicines in the Custom-house, I may perhaps be allowed to observe that in Sweden cinchona bark must be investigated.

1273. And are other drugs examined also?—No; only cinchona bark. We have sent back many hundred weight of cinchona bark to Germany; it is my duty to investigate that.

1274. Is that drug much adulterated?—There is an inferior quality sometimes sent; the cinchona bark in England is much better, and I think it is the best way to take it from England.

1275. Have you purchased any since you came to England for the purpose of sending it to your country?—No, I have not.

1276. But you find it is better here?—Yes, it is much better.

1277. Are secret medicines allowed in Sweden?—No, they are not allowed.

1278. Mr. Wyld.] In the remote villages in Sweden, and in small places, how are the people supplied with drugs?—They have apothecaries or pharmaceutical chemists, but if it is so small a place that no shop is established there, the physician has some medicines; it is very seldom, however, that you find any place which has not a pharmaceutical chemist.

1279. Do they use the word “pharmaceutist”?—No, they use the word “apothecary;” the pharmaceutical chemist has the name “apothecary” in my country.

1280. Do you know nothing of pharmaceutical chemists in Sweden?—No; we have not so many different branches as you have here.

1281. Chairman.] Is it the same class of persons under a different name?—Yes; attendants in the shops are called pharmaceutists, but the proprietor of the shop is called an apothecary.

1282. Mr. Wyld.] Does the apothecary prescribe?—No, not at all; they are not allowed to prescribe, and they do not prescribe.

1283. How many classes of medical people have you?—We have only one—only physicians; the surgeons must be physicians; they must be doctors of medicine, and are not allowed to practise in surgery unless they first take their degree at the universities, or at the Royal Caroline Institution at Stockholm.

1284. Most physicians have been surgeons?—Yes, they must pass an examination in surgery also.

1285. Mr. Hindley.] You have said that people cannot set up a pharmaceutical shop at their pleasure; can they become physicians at their pleasure, or is that also restricted?—If they pass their examination then they can; every Swedish physician, or a foreigner, if he presents a diploma which is good, can practise in Sweden, but if he cannot present a diploma from the university which is considered good, he must pass an examination first.

1286. Mr. Ewart.] I suppose in Sweden as in Germany the widow of a chemist may succeed to the establishment of the chemist?—Yes.

1287. But she must employ a person who has been regularly educated, must she not?—Yes, a person who has been examined.

1288. And so, if a capitalist buys a pharmaceutical establishment, he must employ a subordinate who has gone through a regular examination?—Yes, he must have such a person to manage his shop.

1289. Mr. Wyld.] Do you use the word “chemist” in Sweden at all?—No, we only call such men as Liebig and Berzelius chemists.

1290. It would be a mistake then to apply the term pharmaceutical chemist to any class of people in Sweden?—It is a thing which would not be understood by some people.

1291. Mr. Ewart.] The corresponding term to “pharmaceutical chemist” in

*Dr. Hamberg.*

this country would, in Sweden, be "apothecary"?—Yes; and so in Denmark, Norway, Finland, and Germany.

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1292. And in Russia also?—Yes; in Finland they are called "apothecaries."

*Mr. Richard William Giles, called in; and Examined.*

*Mr. R. W. Giles.*

1293. *Chairman.*] WERE you a Student at the School of Pharmacy of the Pharmaceutical Society?—Yes, I was.

1294. Did you pass the examination?—I passed the major examination.

1295. After that did you join your father in business at Clifton?—Yes.

1296. Did you assist in forming an auxiliary pharmaceutical institution at Bristol and Clifton?—Yes; a society which went by the name of "The Bristol Chemists' Association."

1297. What were the objects of that society?—Education.

1298. Have you been in correspondence with the Pharmaceutical Society with the view of co-operating with that society in promoting education?—Yes; I have sometimes communicated observations of interest to pharmacutists; things that concerned our calling.

1299. Have the reports of your meetings been published in the Transactions?—Yes, they have, some of the lectures given there.

1300. Have you delivered lectures there yourself on chemistry?—Yes.

1301. Has the association established a laboratory?—Yes.

1302. And have you used every means which were in your power to induce the apprentices to read and prepare themselves for examination?—Yes; we have used all the means in our power. We have not found that all the pharmaceutical chemists in business have joined us; but those who proposed the scheme used all the means in their power.

1303. Have you found some difficulty in carrying this out to the extent you desire, on account of an examination not being compulsory in this country?—No doubt of it.

1304. Do you think if a compulsory examination were introduced, that the apprentices would be induced to learn and to exert themselves?—Certainly, I think so.

1305. Have the generality of the chemists in Bristol and Clifton supported your efforts?—But partially; they have acknowledged the desirability of such proceedings, but they have confessed their inability to second them as they would wish.

1306. Do you think that half have joined?—Yes; more than half certainly joined the association, and paid the subscription to the association. What I mean by saying that they did not support it so energetically as one could wish, was in attendance upon the lectures and meetings, and in inducing the apprentices and assistants to attend also.

1307. Were those who supported the movement the more respectable and intelligent class of chemists in the neighbourhood?—Yes; those who occupied the highest position in the trade.

1308. Do you think a general desire prevails amongst those occupying the best position as chemists, to improve the profession and promote education?—I have always observed it wherever I have had an opportunity of eliciting their wishes on the subject.

1309. Have you travelled in any other places so as to ascertain the feeling of chemists in those places?—I know Brighton and Bath, and several of the chemists there; and in London I know very many.

1310. Do you think among your friends there is a general desire to see this improvement introduced?—Yes, I feel quite assured there is that desire.

1311. Among the medical profession in your neighbourhood was there an approval of the Pharmacy Bill?—Yes, a very warm approval. The approval was warm in individuals, and general throughout the class. I have never encountered any person who entertained a different feeling.

1312. Did they consider that the endeavour to improve the education of the chemist was a benefit to the medical profession as well as the public?—Always; that was the light in which they seemed more particularly to regard it.

1313. Did they seem to think they would have a better opinion of the manner in which the prescriptions were prepared, if the men who prepared them were properly



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properly educated?—Yes; they usually expressed an opinion that it would give them more confidence in the remedies they wished administered.

1314. Have they ever expressed a fear that by educating chemists in chemistry and pharmacy they might be disposed to practise medicine?—No; I never heard that opinion from any of the medical profession.

1315. Do the chemists of Bristol and Clifton openly transgress the regulation which forbids their practising medicine?—Yes; I have heard such things mentioned by some of the faculty, but it is not a general transgression certainly; it is an exception.

1316. Do you think that the chemists endeavour as much as they can to restrict themselves within the province of their own business?—I believe all those who hold a respectable position in the trade have a very strong objection to be involved in anything like prescribing.

1317. In those cases where the prescribing is carried to any extent, do you think it is amongst those who are imperfectly educated as chemists?—I do not know that in Bristol prescribing by chemists is carried on to any great extent; I believe it is not.

1318. In those cases where it exists, do you think it is among the more, or less educated?—I think it is likely to be among the less educated, but I have no means of speaking from any knowledge of my own.

1319. Do you think the improvement of the position of the chemists in their own capacity would give them a tendency to become medical practitioners?—I think quite the reverse. I think they would be more likely to adhere to their own functions, if their functions were made more worthy.

1320. Do you think it enough for a chemist to do to attend to his own business without embarking in irregular medical practice?—I think quite sufficient.

1321. At the same time that that is your opinion, do you think it would be a hardship to have a law introduced imposing severe restrictions and penalties in the exceptional cases where a chemist is obliged to recommend a dose of medicine?—I think it would be impossible. I do not see how it would be possible sometimes for him to avoid giving an opinion. It is impossible to avoid in every trifling case giving an opinion.

1322. Then you think it would be impossible to prohibit that absolutely by any law that might be introduced?—It would be practically impossible.

1323. At the same time do you think that the best method of checking it would be to improve the intelligence and education of chemists in their own department?—I believe the more respectable chemists have a great objection to interfering with the faculty, on account, for one reason, of their being more in communication with the faculty, and more in friendly relationship with them.

1324. Has there been a desire for some years past to obtain the passing of the Pharmacy Bill?—A very general desire.

1325. Has a disappointment existed at the delay which has taken place in the passing that Bill?—Yes.

1326. And has that led to the secession of some members from the society?—I believe that has been alleged as the reason for the secession of some members.

1327. Have complaints been made that the council have not been so active as they ought to have been in obtaining the passing of the Bill?—Yes, I have heard those complaints made at the yearly meeting at the Bloomsbury School.

1328. Have you also heard those complaints in your own neighbourhood?—Yes.

1329. Do you think the delay in passing the Bill has tended to check the exertions of the apprentices in preparing for examination?—I do not know that it has tended to retard them, but it has prevented their being stimulated, certainly.

1330. Then you think the passing of the Bill would stimulate them to improvement?—It must obviously have that effect, I think.

1331. Mr. Wyld.] You have some experience in the larger towns of the country; is it always possible to prevent a chemist prescribing?—No, I think it is not possible, especially among the poorer persons; the chemist can very easily refer a wealthy person to a medical man; but it would be simply a farce to recommend a servant to go to a medical man.

1332. It is your opinion that it is not possible to prevent the chemist and druggist occasionally prescribing medicines?—I think you would always find exceptions even if the law existed; exceptions unwillingly committed, but still necessary.

1333. Do you think the passing of the proposed Bill would tend to check the practice?—

Mr *R. W. Giles.* practice?—I think an advanced education on the part of the chemist would beget an increased unwillingness to encourage that which is now simply etiquette.  
 22 April 1852. 1334. Would that arise from an improved moral feeling?—From a feeling of unwillingness to interfere with that for which they know perfectly well they are not competent.

Mr. *George Walter Smith*, again called in ; and Examined.

Mr. *G. W. Smith.*

1335. *Chairman.*] DO you know Mr. Edwards, of Liverpool?—I do.  
 1336. Was he a student at the School of Pharmacy in London?—Yes.  
 1337. Did he pass his examination?—He did.  
 1338. Is he now a teacher of chemistry in the branch establishment at Liverpool?—He is.  
 1339. Is there a society there in which lectures are given, and other means adopted for the instruction of young men?—Yes, on a very liberal scale.  
 1340. With regard to the election of the council in the Pharmaceutical Society, has an objection been taken to the plan of proxy voting?—Yes.  
 1341. Was that objection made on the ground that one individual might hold a great many proxies, and so carry the election?—Yes; the desire being that every individual should vote for himself.  
 1342. So as to make it as free from the possibility of abuse as possible?—Yes.  
 1343. Has the council proposed that there should be an alteration made in one of the clauses of the Bill?—Yes; the council propose that the clause should be altered, so that it should read in this way: that “at all meetings of the said society at which votes shall be given for the election of officers, all members entitled to vote may give their votes either personally, or in cases of residence exceeding five miles from the General Post-office, St. Martin’s-le-Grand, London, by voting papers authorized by writing, in a form to be defined in the bye-laws of the said society, or in a form to the like effect, such voting papers being transmitted under cover to the secretary not less than one clear day prior to the day at which the election is to take place.”  
 1344. Has the Pharmacy Bill Committee considered the subject with regard to the bye-laws referred to in this clause?—They have; and I am authorized to present you with a copy of that which they have proposed to adopt.  
 1345. Will you read the proposed bye-laws which have reference to that clause?—“1st. Any member desirous of nominating another for election as a member of the council, or an auditor, and of having the name of such party included in the list of candidates after-mentioned, must give notice thereof in writing to the secretary before the first of April in each year; and it shall be the duty of the secretary to ascertain that every member put in nomination will, if elected, accept the office; or, in default of such nomination, the council shall prepare a list of not less than 14 candidates as members of the council for the ensuing year, and also five candidates as auditors; and the parties so named shall respectively be submitted for election at the annual meeting. 2d. The secretary shall issue voting papers, and shall therein state the names and residences of the candidates, and also those members of the council who remain in office. 3d. The secretary shall transmit to every member of the society residing in Great Britain, and qualified to vote, not less than fourteen days prior to the meeting at which such officers are to be elected, a voting paper containing the names of those members who have been proposed as candidates for election, according to the bye-laws; and the voting papers duly remitted by absent members shall be opened at such meeting aforesaid by or in the presence of the chairman. 4th. Prior to the commencement of voting, the members present shall appoint from among themselves four or more to act as scrutineers, who shall sum up the votes given for each of the candidates, and shall sign and make a written return of the total numbers to the chairman, who shall declare the same to the meeting.”  
 1346. With regard to the fees payable by candidates on passing examinations, was that subject discussed at the last meeting of the Committee?—It has been considered by the council.  
 1347. Did they consider that it would be advisable to have the entire fees payable by members to the society divided into two amounts, making it optional with the candidates who passed the examination whether they would pay the entire



entire sum and obtain the whole advantages from the society, or whether they would simply pass the examination and become licentiates?—A certain fee was to be paid to entitle the party to be placed on the register, and to qualify him to practise as a chemist and druggist, leaving him to choose whether he would join the society and pay the other portion of the fees.

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1348. Was it estimated that the amount of fee proposed for the examination fee would be sufficient to pay all the expenses of examination, or registration, or that there would be something to be made up out of the general fund?—It was apprehended that the fees to be paid for the examination and registration would be sufficient of themselves, and that not anything would be required from the funds of the society.

1349. Was that on the supposition that the fees for examination were about eight guineas?—About eight guineas.

1350. How would it be if they were reduced to six?—Then it would be questionable. The desire was that the fees should pay those expenses.

1351. Was there any objection on the part of the council to pay any balance that might be required in the event of the fees being inadequate for the purpose?—It would be necessary to do so.

1352. Was there any objection to a regulation that no portion of the fees paid on examination should be appropriated for the purposes of the benevolent fund?—It was quite understood that no portion would be.

1353. It was understood that the two accounts were to be kept distinct?—Entirely separate.

1354. Have you a paper showing the number of persons who have passed their examination since the establishment of the society?—I have.

[*The Witness delivered in the following Paper:*]

BOARD of EXAMINERS of the Pharmaceutical Society of *Great Britain.*

Years.	Classical.	Minor.	Major.	TOTAL.
1843	73	9	—	82
1844	73	14	1	88
1845	88	14	7	109
1846	86	13	10	109
1847	82	11	12	105
1848	79	24	21	124
1849	103	23	21	147
1850	50	22	19	91
1851	74	30	24	128
1852 } to April }	46	46	41	133
	754	206	156	1,116

1355. Mr. *Wyld.*] Has the Pharmaceutical Society prepared a table of fees?—They have passed a resolution.

1356. Supposing this Bill should become law, what will be the amount of fees that will have to be paid by any person wishing to become a member of the Pharmaceutical Society. In your former evidence you did not clearly state that?—My view is, that the fee which has been named of eight guineas would entitle the party to his examination.

1357. Is that your opinion, or has there been a resolution passed by the Pharmaceutical Society to that effect?—That is the resolution of the council of the society.

1358. What is the determination of the Pharmaceutical Society, as to the amount of the future fee which they will ask for an individual who seeks to be a member of the society?—That is not definitively arranged.

1359. *Chairman.*] Did not the council pass a resolution to the effect, that they considered the fee ought not to be more than eight, or less than six guineas, leaving the Committee to determine between the two?—Yes; that refers to examination.

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1360. And with regard to the remaining sum to be paid by members, do they not consider that that is to be either six or eight guineas, leaving it to the Committee to decide the precise amount?—There is nothing definite as to that, but there is with regard to the examination fees.

1361. Mr. *Wyld*.] Eight guineas?—Yes.

1362. Will that fee of eight guineas, according to your present idea, entitle an individual to all the privileges of the Pharmaceutical Society?—Not at all; it applies simply to the examination.

1363. Suppose an individual to pay his eight guineas for registration and examination, does he continue for ever a pharmaceutical chemist?—Yes; the law will give him that.

1364. Mr. *Ewart*.] You mean this Act of Parliament?—Yes.

1365. Mr. *Wyld*.] In the same way that an individual passing an examination before the Apothecaries' Company and becoming a licentiate is a licentiate for ever?—Yes.

1366. Do you propose to prevent any party from exercising the trade of a chemist and druggist in Great Britain, except a pharmaceutical chemist?—All those who are now in business or who may be hereafter examined, will be entitled to trade as chemists and druggists.

1367. You give to them the title of pharmaceutical chemists?—Yes.

1368. But is it the intention of your society to endeavour to restrict the trade of a chemist and druggist to parties who use the title of "Pharmaceutical chemist;" do you believe that that is the intention of the society of which you are the secretary?—Yes; not interfering with the apothecaries or any of those who now enjoy the right and title.

1369. *Chairman*.] Would it prevent a country shopkeeper from selling a few drugs, provided he did not call himself a pharmaceutical chemist?—No.

1370. Mr. *Ewart*.] Can any man, after this Bill shall have passed, put up over his shop, "Chemist and druggist," and sell drugs as he does now?—He can do it provided that he is registered; he could do it, being now in trade as a druggist, and he could continue to do it under this Act.

1371. Mr. *Wyld*.] You know the existing law relating to surgeons; suppose an individual is a member of the College of Surgeons, if he dispenses medicine he does so illegally?—He does.

1372. Suppose he has obtained a diploma as a member of the College of Surgeons, and becomes a member of the Pharmaceutical Society, he will thereby evade the examination of the Apothecaries' Company and be entitled to sell drugs, will he not?—He will if he passes an examination, and obtains his place as a chemist and druggist on the register.

1373. Do you know that many members of the College of Surgeons are now illegally selling drugs?—I am aware of the fact.

1374. Have you had any applications from those individuals to become members of the Pharmaceutical Society?—We have had some two or three, not more; but we never receive any one who practises or intends to practise as a medical man.

1375. At the present moment, then, any one who practises as a medical man is not eligible to be a member of the Pharmaceutical Society?—He is not.

1376. Do you propose by this Bill still to carry out that same regulation?—Certainly; we should never allow him to be a member of the society.

1377. *Chairman*.] If a person being a member of the society obtained a qualification as a medical man, would he cease thereby to be a member of the society?—We should bow him out and request him to withdraw his subscription; we have done it in a number of instances.

1378. Would you withdraw his certificate of qualification?—He would obtain his qualification independent of the society; the law will give him that; if he be a registered chemist and druggist under this Bill, no power could withdraw that qualification, but he would not be a member of the body corporate; he would be ejected.

1379. How can you withdraw the certificate or licence?—You could not withdraw the licence to practise as a chemist and druggist, but his having a licence to practise as a chemist and druggist is different from his being a member of our society.

1380. *Chairman*.] Would a certificate of pharmacy entitle the man to attend patients and supply medicines as an apothecary?—No, we would have nothing to do with that; we merely say, he is qualified as a pharmacist.

1381. Mr.



1381. *Mr. Deedes.*] Under that qualification he might sell drugs, and you could not prevent him from practising as a surgeon?—No, he would have two distinct authorities.

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1382. So that a surgeon, once a member of this association, might also act as an apothecary?—He might.

1383. *Chairman.*] Does the qualification you propose, with reference to this Bill, comprise the privilege of acting as an apothecary?—No, the great object is to distinguish them from each other.

1384. *Mr. Wyld.*] Would not the effect of this Bill be to legalize what at present is illegal on the part of a member of the College of Surgeons? Suppose an individual obtains a diploma as a member of the College of Surgeons: if he dispenses medicines now, he does so illegally, but suppose he becomes a member of your society, he will be able, will he not, if this Bill passes, to dispense medicines as well as practise as a surgeon?—There would be two distinct qualifications, and both authorized by law.

1385. Now a surgeon is obliged to be a licentiate of the Apothecaries' Company; if he is not a licentiate of the Apothecaries' Company, and dispenses medicine, he does so illegally?—There are many persons who do that now.

1386. Would not this Bill then legalize a practice which is illegal; suppose a surgeon undergoes an examination by the Pharmaceutical Society, he will be entitled to receive your diploma?—He would receive the qualification from the examiners, and would be put on the register as a chemist and druggist, but he could not call himself an apothecary.

1387. He would call himself a surgeon and pharmaceutical chemist?—That might be prevented by not allowing any surgeon to take the title of chemist and druggist; it has been the practice to refuse surgeons who wish to be admitted, and to get rid of those who, having been chemists and druggists, subsequently qualify themselves as surgeons.

1388. Have you any bye-law enabling you to remove such persons from the list of members of your society?—That specific thing is not stated, but there is a power to remove the members from the society.

1389. Supposing an individual does the illegal act that I have stated, have you any power of removing him, or is there any bye-law existing, under the authority of which you can erase his name from the list?—I do not think the question has arisen with us yet, or that it has been thought of. I see that a person in such a case would have two legal qualifications, and I apprehend that no private act of the council of the society could invalidate either the one or the other.

1390. Would not that be an interference with the charter of the Royal College of Surgeons?—It might with the Apothecaries' Company, but not with the College of Surgeons.

1391. Then there is no bye-law excluding individuals under circumstances such as those which I have named?—From the outset it has been the practice that no medical practitioner shall be united with us; the intention has been, that the society should consist solely and entirely of chemists and druggists, and the great desire was to prevent the chemists and druggists from trenching on the medical profession.

1392. And you have refused admission to gentlemen who have been members of the College of Surgeons?—We have; I will give you an instance: I recollect one gentleman named Grace, living in Tottenham-court Road, who had been a chemist and druggist formerly; he afterwards qualified with the College of Surgeons, and retired from the society; and there was another person at Bath claimed to be an apothecary under a coroner's inquest, and the moment we heard of it we requested him to resign. Other cases could be stated.

1393. *Chairman.*] Does anything in this Bill entitle a person to act in any way, or is it confined exclusively to what he calls himself?—It is confined exclusively to what he calls himself.

1394. Suppose a person is entitled by this Bill to call himself a chemist, would that entitle him to do any particular act?—No.

1395. If the Apothecaries' Company have power now to prevent a person from  
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Mr. G. W. Smith. acting as an apothecary, would the power of calling himself a chemist give him power to act as an apothecary?—We could give him no power if the Apothecaries' Act prevented him from having the power.

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1396. This Act would not override the Apothecaries' Act?—No.

1397. Then, according to that view, this Act would not interfere with the Apothecaries' Company?—Not at all.

1398. Mr. Ewart.] You leave the law in that respect as you find it?—I apprehend we do not touch it all.

1399. Sir H. Willoughby.] Assuming your intentions to be carried out, and a party wishes to set up the trade of a chemist and druggist after the passing of this Act in any town in this kingdom, can he carry on that trade without being connected with the Pharmaceutical Society?—Yes, except in the act of examination.

1400. Before any party can carry on the trade of a chemist in Great Britain, will it be necessary, preliminary to his so doing, that he shall be examined by the officer of the Pharmaceutical Society?—That is the intention of the Bill.

1401. Am I right in supposing you to say that if this intention is carried out, hereafter no person in Great Britain could carry on the trade of a chemist and druggist unless he had been connected with the Pharmaceutical Society by an examination?—Just so; the object of the Bill is that an uneducated man should not call himself a chemist and druggist, but that a man who has proved himself qualified should.

1402. But you propose that hereafter no person shall call himself a chemist and druggist unless he has been examined by the Pharmaceutical Society?—Yes.

1403. Mr. Deedes.] And then having once got the certificate of this association, and having commenced acting as a pharmaceutical chemist, he may also act as a surgeon, and there will be no power to prevent him?—The Apothecaries Act will do it; the Apothecaries Act applies to the administering of medicines.

Professor Kopp, called in; and Examined.

Professor Kopp.

1404. Chairman.] HAVE you been Professor in the School of Pharmacy at Strasburgh?—Yes.

1405. How many schools of pharmacy are there in France?—There are three superior schools, and about 20 secondary schools of medicine and pharmacy.

1406. Where are the superior schools?—At Paris, Montpellier, and Strasburgh.

1407. Will you point out the course of instruction at the school of pharmacy?—At the school of pharmacy there are the pharmaceutical courses, properly so called, which consist of the course of pharmacy, the course of pharmaceutical manipulation, the natural history of simple drugs, and the accessory courses of pharmacy, namely, pharmaceutical chemistry, pharmaceutical physics, toxicology, pharmaceutical botany; in Paris the studies embrace, moreover, pharmaceutical natural history, zoology, botany, mineralogy, geology.

1408. During how many years is it necessary for the pupil to study his profession?—There are two cases: if he does not study at any school, he serves for seven entire years in a pharmaceutical establishment, and he is not permitted to carry on the business of a pharmacien until he has arrived at the age of 25 years, and the Minister can dispense with one year on the ground of his passing an examination; in the second case, if the pupil follows the instruction at a school of pharmacy, either the primary or the secondary school, each year of study reckons as two years in the pharmaceutical establishment, with this restriction, that four years only can be employed in this manner, and it is necessary that he shall pass three years at least in the practical service of the pharmacien. Therefore the shortest time during which a student can prepare for the examination is five years; three in a pharmaceutical establishment and two in a school of pharmacy.

1409. Are the examiners pharmaciens?—The examiners are at the same time professors of the school of pharmacy, and professors of the school of medicine; there are in each board of examiners four professors of the school of pharmacy, and



and two professors of the school of medicine; the same rule applies to the inspection of the shops.

Professor Kopp.

1410. Are the shops inspected by four pharmaciens and two physicians?—Yes, and not only the shops, but the establishments of persons who sell drugs.

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1411. Mr. *Ewart*.] How many times in the year are these shops visited?—The periods are variable, ordinarily only once a year.

1412. Mr. *Wylde*.] There is no fixed time?—No; it happens sometimes, especially when accidents have been pointed out, that there are several visits, especially where the house has the character of being badly conducted, and of selling bad drugs.

1413. *Chairman*.] Have you two degrees of pharmaciens?—There are pharmaciens of the first class and of the second class; the difference is not great. The pharmaciens of the first class have the advantage of being able to establish themselves in any part of France; the pharmaciens of the second class can only establish themselves in the department in which they were examined. The subjects on which the examination takes place are nearly the same in regard to these two classes of pharmaciens; the pharmaciens of the first class pass their examinations before the superior schools of pharmacy; the pharmaciens of the second class pass an examination in each department before a special commission composed of physicians and pharmaciens appointed by the Government.

1414. Are the expenses the same for both classes?—No, the examinations of the first class cost about 50 *l.* sterling, and the examinations of the second class cost about a fifth, or 10 *l.* sterling; it therefore follows, that all the pharmaciens of the departments of the Seine, Bas Rhin, and Hérault are of the first class. because there there are no commissions, but there are the superior schools of pharmacy; they pass four examinations upon different subjects, and they must pass the first before they can pass the second, and so on.

1415. *Chairman*.] Are these establishments supported by the Government, or are they under the direction of the Government?—All these establishments of education are under the direction of the Government.

1416. Are the expenses paid by the Government, or are they supported by the fees received from pupils?—The responsibility rests on the Government, that is to say, the Government pays the expenses, and takes the fees. The receipts in Paris exceed the expenses; in the other places they nearly balance; Montpellier has a little more, and Strasburgh a little less.

1417. What is the entire expense of the school at Strasburgh?—Thirty-five thousand francs; that is the expense of the entire school.

1418. Annually?—Yes; that is the entire annual expense of the establishment, including the payment of the professor, the expense of the school, and other expenses of the establishment. At Paris it is much more, about 150,000 francs.

1419. Mr. *Ewart*.] What is it at Montpellier?—About the same as at Strasburgh. The 50 *l.* which is paid is for examination; in addition to that, the pupils pay an entrance fee, which is not considerable, about 30 francs for a season; it is merely an entrance fee; the chief expense is on the examination.

1420. Is it permitted in France to sell secret remedies?—No; secret remedies may not be sold by pharmaciens, unless they are remedies authorised by the Institute or the Academy of Medicine. When an inventor thinks he has discovered a new remedy, he is obliged to give the composition of his remedy to the Institute or to the Academy of Medicine; a report is then made, and after that report permission is given to sell the remedy; then if the proprietor wishes to retain the exclusive sale of the remedy, he takes out a *brevet d'invention*; and if he takes out no *brevet d'invention*, any person may sell the remedy.

1421. Have you very severe regulations respecting poisons?—There are lists of poisons, and the pharmaciens are obliged to keep a register of the persons who buy the poisons; they are registered in a private book, and that book is examined and signed by the examiner whenever an inspection takes place; and, at the same time, the pages of the book are marked so that the pharmacien cannot remove a page without detection.

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1422. Mr. *Ewart*.] Who gives authority to purchase poisons?—A pharmacien can sell poison in any case when he is authorised by a physician, and the responsibility rests on the physician.

1423. Is it necessary in all cases that the pharmacien should have the authority of a physician?—No; there are poisons which are used for purposes not medicinal, for the destruction of vermin; and then it is the *maire* of the commune, or the *juge de la paix*, who gives the authority to sell the poison to the person presenting the certificate; and the pharmacien preserves the certificate for his own security, to show that he has not sold the poison without authority. All the articles in the schedule of poisons do not come under this prohibition, but only those which are known by the public as poisons. According to the law, all the substances in the schedule of poisons must be entered on his list at each time of sale; but as this would be very embarrassing, it is permitted that only those poisons which are the most dangerous, and which are known to the public as poisons, shall be inserted in the book; arsenic, for example; corrosive sublimate, and hydrocyanic acid. A great deal of sulphate of copper is used for commercial purposes, and it is necessary to insert that, because accidents have frequently occurred in certain parts of the country.

1424. Can a physician be a pharmacien, or a pharmacien a physician?—Not unless the physician lives in a neighbourhood where there is no pharmaceutical establishment; and then he may sell the drugs which he himself prescribes.

1425. Mr. *Wyld*.] Is it necessary that, in all cases where a pharmacien sells drugs, he should have the prescription of a medical man?—Yes; except in cases where the remedy is very simple, and in the case of domestic remedies.

1426. Mr. *Ewart*.] There are pharmaciens almost everywhere in France, are there not?—Yes; in almost all the cantons.

1427. *Chairman*.] Have you what are called barber surgeons?—The physicians and surgeons are divided into two classes; the first are received by the faculty of medicine, and are obliged to pass five examinations and to write a thesis. There is a second class who pass only three examinations, and send in no thesis; they call them *officiers de la santé*. These *officiers de la santé* cannot become professors in pharmacy or in the faculty of medicine, and they cannot perform some operations: for instance, they cannot be accoucheurs, and they cannot operate in any case in which the life is in danger, but in other respects they can practise medicine and surgery like doctors.

1428. Can they practise pharmacy?—No; except in cases where there are no pharmaceutical establishments within the compass of two leagues.

1429. Do the provincial chemists sell other things besides drugs?—In France a pharmacien is generally a pure pharmacien. It is not common for a pharmacien to be a kind of druggist.

1430. Mr. *Ewart*.] Is there any limitation as to the number of pharmaciens in a town?—No; a limitation did exist some time ago, but now they can establish themselves where they like, except in places where there is a particular custom or a municipal usage. It is not the same as it is in Germany, where they are limited. There is an intention to abolish in France the two classes of physicians, and the two classes of pharmaciens, retaining only the superior class, so that all shall pass the same examination. This is the result in a department where there are no schools of pharmacy. A person can become a pharmacien with 250 francs; therefore, those who establish themselves in a department where there is a school of pharmacy, are obliged to become pharmaciens of the first class, and to pay a much higher sum, and if they wish afterwards to establish themselves in one of the other departments, they have no advantage over others who have paid so much less.

1431. Have you many scientific men in France who have been pharmaciens?—Yes, many. M. Dumas for one, M. Persoz, Vauquelin, and others. Pharmacy is an excellent school for becoming a good chemist.



*Lunæ, 26<sup>o</sup> die Aprilis, 1852.*

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MEMBERS PRESENT.

Mr. Jacob Bell.  
Sir W. G. Craig.  
M. Hindley.

Mr. Jackson.  
Mr. Farrer.  
Lord Burghley.

JACOB BELL, ESQ., IN THE CHAIR.

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*John Gairdner, Esq., M.D., called in; and Examined.*

1432. Sir W. Craig.] YOU are a Fellow of the College of Surgeons in Edinburgh?—Yes. *J. Gairdner, Esq.*  
M. D.

1433. Have you considered this Pharmaceutical Bill?—Yes, I have; I was chairman of a committee of the college in relation to it. 26 April 1852.

1434. The college has carefully considered its provisions?—They have carefully considered it, and submitted it to committee.

1435. Has that committee made any report?—That committee has reported to the college; I have not a copy of the report here; but I can explain fully the nature of the suggestions contained in it.

1436. Will you state generally the tenor of that report?—I may state as a preliminary matter, in my own individual character, and not as the representative of the college, that I do not view any such Bill as this as being strongly called for by any circumstances whatever. Of course there can be no objection to an improvement in the education of chemists and druggists, which is the professed object of the Bill; but there is a stringency about this Bill which I cannot think necessary, and the effect of it will be, as I view it, to create a new monopolising corporation; now that is a matter that we have found to be a very great impediment in the way of any combination of the elements of our own profession with reference to the public advantage. For a great number of years past we have been encountered at every turn by privileges of medical incorporations; and I cannot help anticipating that, in some mode or other, if a new corporation of this description is added to the list, it will in some way interfere with attempts in future to accomplish a new arrangement of the medical profession; I am not prepared to say in what way it will have that effect, but in one way or other I am persuaded it will. Medical incorporations have not all of them monopoly rights, but some of them have, and they have been found to be a very great impediment. I make this general statement, however, merely in my own capacity; as representative of the College of Surgeons I have to say, that I have no instructions to oppose this Bill *in toto* if certain objections, which the college have urged against it, are satisfactorily met; if those objections are not met, then undoubtedly the college will feel it their duty to oppose the Bill in all its future stages. Having made this preliminary statement, I come now to the nature of the particular objections which the college have to the Bill as it stands: they are of three different descriptions; they may be arranged on the ground, first, that the Bill is opposed in some of its elements to the interests of medical practitioners; the second class of objections is, that it is opposed to certain institutions in Scotland; and the third class is, that it affects injuriously the interests of chemists and druggists themselves. Now, if the Committee will allow me to pursue the three classes of objections *seriatim*, I will take up first the question of the effect of the Bill upon medical licentiates, and more especially upon the licentiates of the Royal College of Surgeons of Edinburgh, and of the faculty of Physicians and Surgeons of Glasgow, whose interests are committed to me and my associates here, Dr. Combe and Dr. Watson, and whose interests we are bound to protect, they being a very numerous body distributed all over the kingdom. These licentiates are intended to be protected by a particular clause of

*J. Gairdner, Esq.,*  
M. D.

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the Bill, to which I wish now to call the special attention of the Committee, the 20th clause, I think it is; that is intended to protect the rights of medical licentiates, and I have no doubt that that section is honestly intended for their protection; but I am not satisfied that it accomplishes the purpose. The clause provides "That nothing in this Act contained shall extend or be construed to extend, to lessen, abridge, or defeat, or in anywise to interfere with, any of the rights, authorities, privileges, and immunities heretofore vested in and exercised or enjoyed by the Universities of London, Oxford, Cambridge, Durham, Edinburgh, Glasgow, Aberdeen, or St. Andrews, the Royal Colleges of Physicians or of Surgeons of England, Scotland, or Ireland." The remark I have to make upon that is, that the reservation of all these rights, authorities, and privileges, would not protect a licentiate of the body to which I belong, living in England, for this reason: that they have no statutory rights south of the Tweed; they have, undoubtedly, statutory rights north of the Tweed, but south of the Tweed they have none in relation to pharmacy. They have the privilege, as British subjects, of opening shops in any part of the country; they are received as qualified persons, having been examined in pharmacy by us, but they are received simply by reason of the common law right, I presume, which any British subject has, to practise any trade for which he is fitted, in any part of Her Majesty's dominions, and because there is no statutory prohibition applicable to them at present. Were this Bill to pass as it now stands, I apprehend that a licentiate of our body, keeping a drug shop in future in England, would be told, "no doubt all rights, privileges, and immunities are reserved by this clause, but you have no right in England, and therefore you do not come under the exemption provided by this clause." I do not know whether I have made myself clear to the Committee, but that is my notion of the effect of the clause; I shall presently read a form of words which, I think, would make that clause perfect. I, therefore, may leave that question till I have finished all the other statements I have to make, with regard to the effect of the Bill upon medical practitioners, for I have several other remarks to make upon it. I now go to another part of it, for, even assuming that this clause were made perfect, I am not satisfied with the position in which medical licentiates would be placed in this country under this Bill; I not only claim that a medical practitioner, who has passed an examination in relation to pharmacy, shall be entitled to practise pharmacy, but I think he should be entitled to register under this Act, and enjoy all the advantages which this Act is proposed to confer.

1437. Without any further examination?—Without any further examination. Now if you will just turn to the ninth clause, which is a very important clause, you will see the object of it is to start the new Act with a large body of persons, and to give every person free access to it at first without any examination, and without any payment; that is the object of the clause; it is a clause merely relating to the first starting of the Act, not to the after working of it. In that clause, if you look at it, you will find there is a special exemption of members of the medical profession practising under a diploma or licence of a medical or surgical corporate body. These persons are not, in the first instance, to be permitted to enrol themselves as druggists, simply because they are also medical practitioners, practising under a licence. Now I do not see the propriety of this exemption. Just see how it would work. Suppose there are in a village or a small town in Scotland or England two persons practising as druggists, the one simply as a druggist, and the other partly as a medical practitioner and partly as a druggist; the simple druggist at once enrolls under this Bill without expense; the medical man, because he is a medical man, and therefore probably a man of higher qualifications than a simple druggist, is excluded from registering, in the first instance, without expense, under a Bill, the professed object of which is to elevate the knowledge and qualifications of druggists. Now I do not think that is right. I think the medical druggist ought to be permitted to register; and the professed object of the Bill being to encourage men of a higher character, the best informed men, instead of being excluded, ought rather to be invited to join it; whereas it is clear they would have no means of acquiring the privileges intended to be conferred by this Bill except by an examination which every person selling drugs in a village would be under the necessity of going through. He must, I presume, to acquire privileges to be conferred by the Druggists' Bill, submit himself to an examination, which I hold to be, first, a degradation to such a man, and, in the next place,

to



to be an unnecessary expense. I contend, therefore, that he ought to be allowed' in the first place (in the first starting of the Act) to enrol himself; and I contend that, in the future working of the Bill, all medical men examined in pharmacy by competent boards at present in existence, ought to be permitted, without expense and without re-examination, to enter as members of this druggists' incorporation if they see fit. It is said sometimes, in reply to this, that this is a mere Druggists' Bill; if this principle is to be followed out, it would imply that it was to be restricted throughout to those who are properly druggists, and no practitioners. If that be the object of it, I see no clause in the Bill that will accomplish that object; I fancy that as the Bill stands at present, as far I can understand it, a person who is a druggist, registered under this Bill, might enter afterwards with the Apothecaries' Company of England, or might enter as licentiate of the College of Surgeons in Scotland, and might unite both functions in his own person. At least, I cannot discover in the Bill that it is a disqualification to be a druggist that a man has become a practitioner. There is not a word in the Bill mentioned which would make it necessary for him to forfeit his privileges as a druggist; now he ought to do so, if this is merely to be a druggists' Bill.

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1438. *Chairman.*] Will you allow me to refer you to the interpretation clause, which defines what a chemist and druggist is?—That clause provides that the term “pharmaceutical chemist,” used in this Act, shall be construed to include chemist and druggist, dispensing chemist, and every other term denoting a dispenser of medical prescriptions and vendor of medicines, not being a member of the medical profession, or practising under a diploma or licence of a medical or surgical corporate body.” Then, I would ask, is the effect of this clause, or is it not, that when a druggist, registered under this Bill, becomes a practitioner, he forfeits his privileges as a druggist? Whether that is or is not the effect of it is a question for the Committee to consider. I am not an interpreter of Acts of Parliament, but it seems to me not to be sufficiently precise to accomplish the object intended.

1439. If that were the object, would that be satisfactory to you; I may state it is the object intended to separate the two classes entirely?—If that be the object intended, it would not satisfy me; for this reason: I think if you want to improve the education of druggists, medical men being men of higher education generally, are likely to accomplish that purpose for you, and the exclusion of them does not seem to me to be a wise thing. I think that a medical man wishing to practise pharmacy ought to be included, and I think that if, in a country situation, he wishes to unite medical practice with pharmacy (which is very often not at all a matter of choice, but of necessity), he ought to be permitted to do so without forfeiting any advantage which this Act is intended to give; that is my view of the matter.

1440. *Sir W. Craig.*] It was formerly the practice of the first surgeons in Edinburgh to unite pharmacy with their ordinary medical practice, was it not?—It was, and the operation of free institutions has been such as to put an end to that in a great measure in Edinburgh and many of our principal towns, and it is gradually accomplishing it more and more. I think that the gradual influence of competition is accomplishing it much more effectually than anything in the nature of a statutory disqualification could do. From these general remarks, the Committee will be prepared to understand the nature of the amendments which I would suggest to the different clauses of this Act relative to the interests of medical men. I propose that in regard to sect. 2 an amendment should be made, which I think is of great importance, and which is put usually into similar Acts. I should propose that the following words be added:—“Provided also, that all bye-laws of the said incorporation shall be liable to be brought under the review of one of Her Majesty’s principal Secretaries of State by all parties aggrieved thereby or having an interest therein.”

1441. *Chairman.*] I may mention, in reference to that, that it is agreed that that shall be introduced?—That is very satisfactory; then in regard to Section 9, my proposal is, that the whole of the words, from the word “not,” in line 8, to the word “body,” in line 10, inclusive of those words, be left out; that is to say, the words which exclude medical men. Then in regard to Section 13, I propose that it should be so amended as to fix a moderate limit to the scale of fees exigible for examination and registration; there is no limit at present. I would also propose to distinguish between the fee for examination and all other charges; and also to provide that the former shall not be exigible from medical

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men already examined in pharmacy by one of the existing medical or surgical colleges, faculties, or incorporations, in the United Kingdom of Great Britain and Ireland. I would wish also to call the attention of the Committee to the 14th Section; I would propose that the following words should be added to that clause: "or a diploma or certificate from some of the existing medical or surgical colleges, faculties, or incorporations in the United Kingdom, which at present examine in pharmacy, certifying that he has been examined on that subject;" that is, that if he produces such a diploma or certificate, he shall be exempted from examination. I have all these amendments made out in a paper, which I shall hand in presently.

1442. Several of these amendments are already met by alterations which have been agreed to?—Perhaps it will be better to let me give the whole facts. Then comes the 20th Section, which I have stated, I think, requires amendment; that is the Section relating to the reservation of the rights of medical men. The object of this Section is, that medical men shall have an unlimited right to pursue the druggist's business if they think proper. I may say, that I have heard it said that this is a demeaning of medical men, and that it is inconsistent with their dignity; but my answer to that is, that medical men are the best judges of what tends to their own dignity. A man, because he starts in a particular profession, does not necessarily succeed in it; and supposing a medical man should think he would be more successful in another pursuit, for which he has already qualified himself by education, and by going through an examination, I see no reason why he should not judge for himself how far it is proper for him to do so; I think the present Bill is intended to prevent that, and I think he ought to be permitted to do it if he thinks fit. Then in Section 20, after the word "all" in line 31, I would propose that the Section should be altered as follows: "persons who may now be or who may hereafter become entitled to practise under the licence of any of the bodies corporate aforesaid, shall be entitled to carry on the business of pharmaceutical chemists, and shall have, use," &c., as in line 34 to the end. As the clause stands it merely reserves rights, authorities, and privileges generally, and it seems to me that that would apply merely to statutory rights, authorities, and privileges; at all events, I do not think it is sufficiently clear and explicit; I therefore wish the Bill to contain a clause to the effect that any such persons may practise pharmacy. I may say, that this amendment would become unnecessary if the previous clauses are rectified in the mode I have before indicated; if it is made perfectly clear that they may be registered as druggists without being again examined, this particular clause need not be so altered. This is all that relates specially to medical men.

I now come to the second head of objections, which is a very important one as regards Scotland and certain Scotch institutions, and more especially the Royal Colleges of Physicians and Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow. I call your attention to Section 12, which is in these terms: "And to enable the said society to provide for the examination in Scotland of such students, apprentices, or assistants in Scotland as may desire to be examined there, it shall be lawful for the council of the society, and they are thereby required to appoint such fit and proper persons in Scotland to meet in Edinburgh, and to conduct there all such examinations as are provided for and contemplated by this Act, with such and the like powers and authorities in respect thereof as are herein conferred, and to grant to the persons to be so examined such and the like certificates as are hereinbefore specified and referred to, or to refuse the same; and all the provisions of this Act shall be equally applicable to the examiners, examinations, and parties examined in Scotland as to the examiners, examinations, and parties examined in England." Now I have only to say that I think this proceeds a good deal on misapprehension and want of information on the part of persons in England with regard to the nature of the privileges enjoyed by the bodies which I have named, the two colleges at Edinburgh and the Faculty of Physicians and Surgeons at Glasgow. In one very important respect they are different from the English medical incorporations; the Royal College of Surgeons of London are merely a surgical college; they do, indeed, prescribe a course including medicine and pharmacy, but they do not examine upon it. Our college, on the contrary, has from time immemorial not merely prescribed a curriculum of study in pharmacy, but granted a diploma, which imports that the person receiving it has been examined in pharmacy; and the charter recently granted by the Queen last year confirms all their ancient powers in this respect. I shall establish these things to the satisfaction of the

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Committee by documents which I have brought here. In the first place, with regard to the curriculum of study, I have only to hand this over to the Committee (referring to a pamphlet, "Regulations to be observed by Candidates for the Diploma of the Royal College of Surgeons of Edinburgh,") which is their present curriculum of study, and which you will see includes chemistry, practical chemistry, or analytical chemistry, materia medica, and pharmacy, and it contains also an important provision, as you will see at a different part of it, that the person must have attended a drug shop, and compounded and dispensed medicines for the space of six months. All this you will find in the 8th page of this pamphlet, which I will hand in for the information of the Committee. (*The Witness delivered in the pamphlet referred to.*) Care is taken that those who pass our college are duly informed; then as to the powers of the college, here is the charter: the enabling Act and the charter are both printed in the book which I now produce. The charter was granted no further back than last year; and you will find in the 22d page of it, "Her Majesty doth further ordain and declare that it shall be in the power of the said college, under their common seal, to grant diplomas or licences to practise anatomy, surgery, and pharmacy." Then a little further down it is said, "declaring that every fit and proper person who shall have attained the age of 21 years, and shall have gone through such course of study, and passed such examination or examinations, and complied with such other rules and regulations as the said college now require, or may hereafter require to be observed by candidates for diplomas, by any bye-law or bye-laws made or to be made by the college, shall be entitled to be admitted a licentiate of the said college, and shall be entitled to exercise and enjoy all rights of practice in the arts or sciences of anatomy, surgery, and pharmacy, which are commonly enjoyed by the fellows of the said college, or which have heretofore been enjoyed by the licentiates of the said college." Now they enjoy rights of pharmacy in Scotland; statutory rights; and they enjoy in England, not statutory rights, but common law rights to practise pharmacy as persons duly examined; and I fear, unless the amendment I suggest were made, they would be deprived of these. Then in regard to the form of the diploma, I have copied it out in the last page of this. It stands in these words, "Collegium Regium Chirurgorum Edinense, Hisce literis testatur virum ingeniosum—A.B.—studiis præscriptis rite peractis, examini sese subjecisse, atque ita ad interrogata de iis respondisse ut muneri tam chirurgico quam *pharmaceutico* suscipiendo omnino par esse videretur. Edinburgi, die—anno—." Those are the words of the diploma, therefore it is evident that our powers extend to that; I may say that, generally, the powers of the Faculty of Physicians and Surgeons of Glasgow are of a similar description. The minutiae of it will be substantiated by a gentleman who will afterwards follow me in giving evidence, Dr. Watson, who is now present. The College of Physicians is in a very different position; it has important powers in relation to pharmacy, as will be presently explained. I therefore claim, on the part of these three bodies, that if a Board for the examination of persons in relation to pharmacy shall be thought necessary to be instituted in Edinburgh, with reference to the purposes of this Act, they shall not be superseded, in the appointment of examiners, by a corporation in London, unless there is a very strong case, and I can see none of public necessity, for superseding them in the exercise of any rights having relation to pharmacy; I think it would be extremely wrong, indeed, to give the right of appointing examiners to any other body whatever, but least of all to a body in London, who are necessarily less informed with regard to the elements in Scotland out of which proper examiners can be formed. And I may just say, while I am upon this subject, that what may possibly be esteemed a reason why the principle of the Bill shall be preserved, appears to me to be no reason at all; that the persons enrolled under it in every part of the country are permitted to vote for the officials by proxy; for observe what would be the effect of this: that any large druggist in London who accumulates ten, twenty, thirty, or a hundred proxies from different parts of the country, from his business connexions, would become omnipotent in regard to this Bill.

1443. *Chairman.*] It may save time if you are informed that that clause is entirely altered, and that the system of proxies is omitted, each member having a voting paper, which he is to send under cover to the secretary, so that every member of the society in Scotland and England will have the power of exercising his privilege; does that remove your objection?—By no means entirely; because I consider that the important point is to appoint in Scotland, if a new examining board is required. I have heard of a proposal, which probably is not now intended,



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tended, but which, as I have heard it proposed, it may be as well to notice. When such objections have been urged it has been said, "Why not leave Scotland out of the Bill altogether?"

1444. That is not proposed?—Then I am quite satisfied; I have already explained all that is necessary with regard to the amendments required under this second head.

1445. *Sir W. G. Craig.*] Do you mean that the entire nomination of the board of examiners in Scotland should be entrusted to the College of Physicians and Surgeons?—Yes, I mean that. I have omitted to explain one thing, which I will explain now, in relation to that matter; if it in any manner agrees with the views of the promoters of this Bill, the college to which I belong desire me to state that they have no objection to its being imperative upon these bodies to appoint as examiners a proportion of those non-medical druggists who will be qualified under this Act; if that in any degree tends to the promotion of the purposes of this Act, they would not object to a provision that a portion of the examiners should be necessarily druggists enrolled under this Act.

1446. *Chairman.*] Would it equally meet your views if the druggists in their incorporation appointed examiners, a portion of whom were professors, in various schools in Scotland and England?—It strikes me that the best way of all is to trust the whole appointment of the examiners to the persons who necessarily know best who are the proper examiners in Scotland, persons on the spot. I think the power of appointing examiners ought be vested in a body on the spot, and not in an incorporation in London. We are extremely jealous of it, and think it a dangerous power to grant to a new incorporation in London. I can see no reason why it should not be entrusted exclusively to those Scotch boards; but we are perfectly willing that they should appoint any reasonable portion of the examiners which may be thought expedient by the Committee from among the number of those who shall have been enrolled as druggists under this Bill. I think I have made myself understood by the Committee upon this important point; and now I may proceed to the third class of objections; I mean as regards the interests of the druggists; and I go at once to the 15th clause, which relates to penalties. That clause provides that "from and after the passing of this Act, it shall not be lawful for any person not being duly registered as a pharmaceutical chemist, according to the provisions of this Act (except persons carrying on the said business at or before the time of the passing of this Act, and except the widows of all pharmaceutical chemists or their executors or administrators, having in every case the assistance of a person duly qualified under this Act, to assume or use the title of pharmaceutical chemist in any part of Great Britain, or to assume or use any other name, title, sign, token or emblem implying that he is registered under this Act, or qualified to exercise or carry on the business or calling of a pharmaceutical chemist, and if any person, except the persons exempted by this Act, not being duly registered under this Act, shall after the passing of this Act assume or use the title of pharmaceutical chemist, or shall use, display, or exhibit any name, title, sign, token or emblem implying that he is a person registered under this Act, or qualified to carry on or exercise the business or calling of a pharmaceutical chemist, every such person shall forfeit and pay for every such offence a sum not exceeding 5*l.*, nor less than 2*l.*, and such penalty may be recovered by the registrar to be appointed under this Act, in the name and by the authority of the council of the said society, in manner following, that is to say." Then it declares how the penalties are to be recoverable, and provides for the payment of the expenses incurred. Now this clause makes the new incorporation a complete monopoly, and it would subject men in every corner of the country to be prosecuted to the extent of distraining their goods, which I think very objectionable.

1447. May I be permitted to ask whether you are speaking as the representative of any section of the chemists and druggists; I ask that because the chemists and druggists are represented in this Committee?—I am speaking on the part of the Royal College of Surgeons of Edinburgh.

1448. Because the class to which you are now referring is the class of the chemists and druggists who are here themselves to represent their case?—I claim the right, as a fellow of a Royal College, which has hitherto enjoyed powers in regard to licensing persons to practise pharmacy, to show to the Committee the injurious effect which a monopoly of this description will have upon persons practising pharmacy in Scotland and in England.

1449. I wish



1449. I wish to know whether you are speaking the sentiments of chemists and druggists, or the sentiments of a surgical body?—I do not pretend to speak the sentiments of chemists and druggists. It is said the chemists and druggists are favourable to this clause. I know not whether the clause has been sufficiently made known to them, especially to the small men distributed throughout the country, to enable any one to say they are unanimous in desiring it; but assuming them to be so, I hold the argument founded upon it to be a very bad argument. We should not say of any other class of persons desirous to possess a monopoly, and to enrol themselves as a corporation interdicting all others from entering into competition with them, that their voice ought in that matter to be listened to. We should say monopoly is a dangerous thing, and the voice of the would-be monopolists is the very last thing that on public grounds ought to be attended to by a Committee of the House of Commons. Suppose, for instance, that instead of medicine, the question were with regard to food; suppose any class of persons, brewers for instance, who are sometimes suspected of putting poisonous drugs into their beer, or confectioners who have been supposed to put matters injurious to the health into articles they sell, were to approach Parliament with a desire to have all pastrycooks go through a certain ordeal to secure that they should not be ignorant in regard to the effects of certain things upon the health of the community, and that they desired penalties to be enforced to prevent persons coming into competition with them in their trade, who had not passed through a certain ordeal, I apprehend the answer would be that they had a direct interest against the public, and therefore that the circumstance of their unanimity was not in the slightest degree an argument in favour of a monopoly. I therefore strongly and decidedly object to this clause, believing it to be most objectionable, and the circumstance of the druggists being favourable to it (if they are) ought not, in my opinion, to weigh with a Parliamentary Committee. I wish now to call your attention to a thing which may easily be lost sight of, namely, to that to which, as I view the matter, the public may safely trust for the remedy of this ignorance of which so much talk is made. I apprehend it is now in the course of being remedied, and that it has been for many years in a progressive state of remedy, by causes which are in operation. Every man who embarks his capital in a drug trade, does so under the influence of competition in his own circle; he does so even in the small villages and hamlets in the country. A man who has been bred to the pestle and mortar, and never attended a lecture, may be a very useful man in his own locality, and may have all the knowledge necessary to enable him to put up a few doses of rhubarb and jalap, and so on, accurately, but at any time he is liable to have his heels tripped up by a person who possesses higher attributes; and consequently this principle of competition, which may at any time rob him of his business, operates as a penalty on his ignorance at every instant of time, and in every corner of the country. If you introduce a system of penalty, which in point of fact excludes competitors with those who are now in the field, or who will be in the field if this Act is brought into operation, you will destroy the security the public at present enjoy, and substitute a species of security which is altogether illusory, or at least greatly inferior in point of importance to that which they now enjoy. Then it may be observed that the same amount of science, and the same knowledge of chemistry which is essential in one place, is by no means essential in another. If a man were to attempt to conduct one of the magnificent establishments which are to be seen in every corner of this city without a profound knowledge of chemistry in its most minute departments, he would probably altogether fail; but it is not so if a man's aim is merely to supply a few drugs in a country town, or a small village or hamlet; he can do that very well with a very small amount of scientific knowledge. If you force this small village or hamlet to lose his services, they will probably never be able to pay for the services of a man of such high acquirements as will be required under this Bill. They can get a man now who will serve their purpose, but if you force them to take a man who has been examined under this Bill, and who has gone to the expense of going to Edinburgh or London, and going through a course of lectures there, they probably would lose the advantage of having a useful man among them altogether. I think the public are quite safe if they will trust to this system of competition, and to the penalty which the loss of capital embarked in an unsuccessful trade necessarily imposes upon those who fail. I think they are perfectly safe. It is only a reasonable amount of protection that the case admits of; and if you abolish in any degree this species of natural protection, and substitute for it an artificial

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system of penalty, my opinion is that you will fail in your object. I should say too (and I wish to call the attention of the Committee particularly to this), that if druggists aim at being raised from being a branch of commerce into a profession (which in point of fact is the object of this Bill), they must necessarily be subjected to the conditions of a profession. Now what are these conditions? We in Edinburgh have no protection. We who hold diplomas as practitioners in Edinburgh have no protection against competition in our department. There are men practising and taking large fees in Edinburgh at the present moment, who do not hold any licence from any medical body whatever, and we never dream of prosecuting them. We possessed at one time the power of doing so, but we relinquished it from a consciousness that it was perfectly useless. We are subject every day to this species of competition by unqualified persons; and we have penalties by some of our old charters, but these penalties have not been enforced for more than half a century, and I believe during a half century preceding that again they were very sparingly enforced, and only against persons who were mere quacks and mountebanks. This being the case, we come into court with clean hands. I may say the same thing as to some corporations in London. The College of Surgeons in London have no power of prosecuting those persons who do not possess their licence; the only company in England which does possess the power of prosecution, and has exercised it, is the Apothecaries' Company of London, and that has been a very considerable bar to the legislative union of the profession for the public advantage; but in our part of the country there is no such thing, and there has not for a long time been such a thing as a prosecution of any description for penalties. I apply this to the case of a druggist. I say if they are to be elevated into a *quasi* profession, they must be subject to the conditions of a profession, and if they desire to have penalties against the assumption of a single characteristic title which should be characteristic of those who have passed an examination under a new board to be created, I do not, as the representative of the College of Surgeons, see any impropriety in resisting such a proposal as this; but in my opinion the penalties must be restricted to that title. Men must not be prevented from practising as druggists who assume to be druggists, who commit no fraud upon the public, and who do not assume to be what they are not, persons examined under this proposed corporation.

1450. Sir W. G. Craig.] In regard to this 15th clause, is it a general objection on your part to the whole clause, or are there particular words which you wish to be struck out?—I wish it to be so amended as to be applicable only to those persons who fraudulently assume a single characteristic title such as “Licensed pharmaceutical chemist,” or “Member of the Pharmaceutical Society of Great Britain,” importing that they have been examined under the provisions of this Bill, and to exempt from penalties all who do not assume this particular title, but only an ordinary title indicative of their occupation, and conveying no fraudulent sense. All that relates to signs and emblems I think should be taken out of the Bill, because the practical effect of the Bill as it stands would be, that a person putting a serpent over his door, or the usual coloured glass in his window, would be held to come under the penalty clause, which, in my opinion, would be very wrong.

1451. Are you prepared to state the precise alterations which you would wish to be made in the clause?—I think I have used words which are quite distinct; “To be so amended as to be applicable only to those persons who fraudulently assume a single characteristic title.”

1452. You have not amended the clause yourself?—No, I have not; I have indicated the mode in which I think it ought to be amended to meet my view. As I have said, there can be no objection to a clause, perhaps, that may tend in some degree to conciliate the promoters of this Bill. There may be no objection to a clause “importing that they have been examined under the provisions of this Bill,” because the public may, with reference to the patronage of public charities, seek some proof that a person has passed through some species of examination; but that does not interfere with the patronage of druggists by individual members of the community.

1453. Do you not object to the interpretation clause at the end?—No, I do not know that I have any objection to that; I may say there is an allegation upon the face of the Bill that pharmacy is in a disgraceful state, and that therefore some such Bill as this is wanted. Now I must say that I have not found it in a disgraceful state within my walks; I do not mean to say there is not as great a variety in the degree of information among chemists as there is among



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among medical men, but as far as I can judge, from the preparation of prescriptions in Edinburgh. I should say the business is in an extremely good state. Everybody knows that if he wants a very particular or unusual medicine he ought to go to the great druggists in Edinburgh, or any other great town, in preference to small ones. It is also alleged (and this I have heard alleged in some of the publications published in England) that this Bill will make the druggists a sort of *quasi* practitioners of medicine. With regard to that we are not at all afraid of the druggists at present, who certainly do frequently give advice over their counters, and I believe that that never can be prevented. Every old woman's notion in the country is, that a man who knows the proper drug to be given for a cough, or some other complaint, is *pro tanto* a doctor; and we are not at all jealous of that sort of advice being given, and I do not believe it can possibly be prevented; but if you arm the druggist with a sort of public character as a person who has a diploma, and has been examined, and so on, I am not sure that it may not give an injurious prominence to him, and make him in the eye of the world too much of a doctor. I see at all events that this notion has been entertained by many in England, and I am not sure that there is not something in it.

1454. *Chairman.*] You have stated that you have not paid much attention to the chemists and druggists as a body; you do not personally know the condition of the trade throughout England and Scotland?—No, I cannot speak particularly to that; generally speaking, when I have anything of the kind to do, it is generally with the best druggists in Edinburgh, and, perhaps, there may be a degree of imperfection in many corners of the country greater than I have means of knowing; but I do not see that there is anything contained in this Bill that would be a cure for that. I cannot see that an examination of an hour's duration upon drugs, conduct it as you will, will necessarily exclude ignorance; and I have very great confidence in those remedies for ignorance which I have been explaining so largely to the Committee already.

1455. If it should be proved to your satisfaction that there is an amount of ignorance among persons who assume the name of chemists and druggists which leads to great mischief to the public, and to the circulation of very bad drugs, would you consider it desirable that some steps should be taken for removing that abuse?—I believe, from a mere abstract common sense view of the matter, that there must be the greatest difference in the amount of knowledge possessed by druggists all over the country. I do not think the same amount of knowledge is necessary for one situation that would be necessary for another; and that which would be extreme ignorance in persons conducting large establishments in London, is not so in the case of a person whose mere aim is to furnish a few drugs, to put them up with accuracy, to weigh out the necessary dose, and to combine it into pills or potions with perfect accuracy according to a physician's prescription; I think ignorance, in short, is a mere relative thing.

1456. Do you not think there is a certain amount of qualification, call it a minimum qualification, which ought to exist in any one who undertakes to act as a chemist, and calls himself by that name?—I do not think so. I do not think that any process of this description, rendered compulsory, would be desirable.

1457. I was asking an abstract question, whether there is not a certain amount of qualification which all parties ought to possess without reference to any Bill?—I think all persons aiming at doing anything must know their business, whatever it is; but the question at present is, whether you are, by statutory enactment, to enforce a certain amount of knowledge.

1458. Do you think it right that an ironmonger, or grocer, or cheesemonger, or herbalist, or any person who has had no education, or the errand boy of an apothecary, should be able to keep a shop, to display all the emblems of a chemist, put "chemist" over his door, and lead the public to suppose him qualified?—I have no fear of it, because it is very different from the case of a medical man. What a medical man deals in is opinion, and we all know that very highly informed persons will be duped by such a person as St. John Long, and believe he is a wonderful man, when he knows in fact nothing; but in the case of the druggist, the public have an opportunity of seeing his drugs, and they have this most important security, that the drugs are liable at all moments to be seen by the medical man who prescribes, so that if he finds an improper quantity or an improper quality of drug, the druggist is liable to be checked.

1459. Do you think that the public are capable of judging as to the quality of drugs?—

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drugs?—I think to a certain extent they are; and the medical men are excellent judges of them.

1460. Do you think medical men always see the drugs the patients take?—Not always.

1461. How would you provide for the case where a druggist is totally ignorant, and supplies medicines which are of no use; bad, or badly prepared?—If you think some provision, in addition to what now exists, is necessary, I would revive the powers which the College of Physicians of Edinburgh at one time possessed, of entering a druggist's shop, examining whether his drugs were good or not, and imposing a fine if found not to be genuine. If you gave to medical incorporations in England and Scotland a power of this description, my belief is it would be infinitely more effectual in preventing adulterations, or improper drugs being dispensed to the public, than anything this Bill can do; and especially than a system of examination which is over in an hour.

1462. If every kind of ignorant person is permitted to keep a shop and hold himself forth as a chemist, can you expect those persons to know the difference between good and bad drugs, and therefore to be prepared for the visits of these medical men?—The visits of the medical men might be performed when they think proper. Suppose I walk in and find a quantity of laudanum not of proper strength.

1463. How would they ascertain that by just walking into a man's shop?—They might buy a quantity, take it home with them, analyse it, evaporate it, and see whether it contained the proper quantity of opium, or whatever the drug was. The College of Physicians of Edinburgh have in their last edition of the Pharmacopœia which they published, taken great pains to put the whole of the druggists in the kingdom in possession of the means of testing the quality of drugs.

1464. Are you aware of the great number of druggists there are in England and Scotland; have you any notion of it?—No; it must be very large.

1465. Suppose the only security against fraud and ignorance consisted in the examination of the drugs, do you think it possible for the entire medical profession to visit all these shops and to analyze all their drugs, so as to protect the public against the evils resulting from the use of bad drugs?—I propose no such thing. I only say, if you wish a remedy, I think that would be a remedy of a more effectual description, but there is a constantly operating remedy now. A medical man prescribes a particular drug, and inquires of his patient the next day how it is agreeing with him; if he finds it disagreeing with him, or that it fails in performing its duty, or influencing his constitution as he expects, he very naturally inquires, "Where was the drug got?" He tests it, and discovers whether it is properly compounded or not; and if he discovers anything to the disparagement of the particular shop, it gets abroad among the general public that this shop is badly conducted, and that the medicines in it are not good. That I consider a sort of security to the public, and it is one which is constantly operating.

1466. You have mentioned that one of the securities the public have is, that when there is anything particular required, the medical man sends to some of the large druggists. I think one of your objections to this Bill is, that you think it a monopoly; do you not think the security you recommend would be placing a monopoly in the hands of certain large druggists; should not any provision be extended to every person who calls himself a chemist and druggist?—No, there is no monopoly; the choice is left fair. They go to a large druggist; they know he has a large establishment, and the very fact of his having it is a guarantee that he will not be such a fool as to embark his capital without the necessary knowledge. I prefer, therefore, going to him, because I know the drug is one which requires to be carefully prepared, instead of taking it to a place within three doors perhaps of my own house; while if it were a less important drug, or a mere every-day medicine only, such as 20 grains of rhubarb, or a drachm or two of senna, I would send nearer, to save myself trouble; but in the other case, I know that it is an unusual drug, and that the physician who prescribes it for me says it is one which may not be met with good in every shop, and therefore I prefer sending half a mile or a mile to get it from a first-rate druggist; there is no monopoly there.

1467. You infer from a druggist having a large and important establishment, that he is a qualified man, I suppose?—I do take a strong impression that he will be qualified better than the other.

1468. Then



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1468. Then on the same ground would you not infer that a man having a small shop was not so qualified?—Certainly I should.

1469. Do you not think that by that means there would be a kind of monopoly placed in the hands of a few large houses, which would tend to attract to them a great deal of business, while the smaller houses, from not having the assumed qualification, would be deprived of a share of the business to which they are entitled?—I cannot see that it deserves the name of monopoly at all. It is the same in every profession.

1470. Would it not be more fair, do you think, to establish a regulation that every person assuming the name of chemist and druggist should be known to be a qualified man, instead of obliging medical men to use a kind of partiality, which places them in an invidious position in recommending some particular shop?—I was not talking of a medical man at all. A medical man might give that advice, but a man of common sense, the patient himself, will, as a matter of course, prefer going to a first-rate establishment.

1471. Are you not aware that according to the present system, a monopoly practically does exist in favour of certain large houses, who enjoy a large business, because they are supposed to be good shops, and that in some small shops men are literally starving, because though they put up the name of chemist, they are not known to be qualified men?—If you call that a monopoly, I think it greatly to the public advantage, and I should be sorry to see it done away with. I think it is a fair advantage which a man who sets up a large establishment, with a great advance of capital, must necessarily possess over a man of smaller means, and it is an advantage which tends greatly to the public good; it is not monopoly at all.

1472. Are you not of opinion that an advancement in the education of the chemists and druggists, as a body, is desirable, considering the nature and responsibility of the duties they have to perform?—I set out by saying that I think an improvement in the education of chemists and druggists is a most desirable end to be attained; and my objections are not to the end, but to the means by which that end is sought to be attained, and which I think would not be attained by this Bill.

1473. Are you aware of any means by which any body of men can be improved, except by some law which offers an inducement to the future members of that body to go through the required education?—It strikes me that I have answered that question largely in the previous part of my evidence. I distrust greatly penalties and monopolies as means for improving the education of druggists or anybody else. I do not see where you are to stop. I have given you the instance of various persons who supply food and drink, which food and drink has been frequently most injurious to the public health; there has been arsenic introduced into wines; various injurious colouring matters have been introduced into confectioneries, and poisonous drugs are said to have been introduced into beer and porter.

1474. Are those matters with which education is concerned?—They are matters which involve principles of chemistry, and it might be held that such persons should be put through a system of education.

1475. I think you know that this Bill simply refers to introducing a certain amount of education?—Yes.

1476. You will not go so far as to admit the desirableness of improving the education of druggists by anything which has any compulsion connected with it?—Certainly not.

1477. Are you aware that the voluntary system has been tried for eleven years in this country, and has failed so far as regards the number of persons who ought to come forward and be examined, and that the number is so small that it may be considered as a failure?—I do not see how compulsory examinations can improve the men who have large amounts of capital embarked, and I do not see the propriety of the compulsory examination of the small men. I think it is imposing a great hardship upon them which will not accomplish any useful purpose.

1478. You are aware that every person already in business, whether it be small or large, is exempted from the operation of this Bill?—Yes, I am quite aware that at starting it is most liberal and comprehensive.

1479. And that consequently it would be many years before the Bill could act oppressively upon any one?—Yes.

1480. You are aware also that this Bill is not levelled at the prohibition against  
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practising pharmacy, but merely the practising it under the assumed name of chemist and druggist, or any name implying that the party belongs to the body proposed to be incorporated by Act of Parliament?—No, I am not aware of that; I think the penalties clause is rendered so stringent that the mere putting up emblems is sufficient; that clause could not be made more stringent than it is made. It says, “From and after the passing of this Act it shall not be lawful for any person not being duly registered as a pharmaceutical chemist according to the provisions of this Act (except persons carrying on the said business at or before the time of the passing of this Act, and except the widows of all pharmaceutical chemists or their executors or administrators, having in every case the assistance of a person duly qualified under this Act) to assume or use the title of pharmaceutical chemist in any part of Great Britain, or to assume or use any other name, title, sign, token, or emblem, implying that he is registered under this Act or qualified to carry on or exercise the business or calling of a pharmaceutical chemist.” It is quite stringent; “and if any person except the persons exempted by this Act not being duly registered under this Act shall, after the passing of this Act, assume or use the title of pharmaceutical chemist, or shall use, display, or exhibit any name, title, sign, token, or emblem implying that he is a person registered under this Act, or qualified to carry on or exercise the business or calling of a pharmaceutical chemist, every such person shall forfeit and pay, for every such offence, a sum not exceeding 5*l.*, nor less than 2*l.*”

1481. Provided country shopkeepers in villages, who sell everything, are permitted amongst other things to sell drugs as they would be under this Act, do you think there would be any objection to establishing a distinction between those who do so as general dealers, and those who are regularly educated and examined, so that the public may know to which class they are going?—I think you have just now stated what I have proposed, which is, that you shall devise some title which imports that the person has been registered under this Act as a pharmaceutical chemist; that you shall render it penal to assume that title, and that you shall abolish all other penalties and disqualifications.

1482. Are you not aware that that would become inoperative by persons setting up shops exactly similar to chemists in every respect, and conducting the business without using any title at all?—I do not see that it would.

1483. Do not many persons carry on business as chemists and druggists, without using the word chemist and druggist over their door, and simply putting up “apothecary” or “surgeon”?—Then you propose to retain all the stringency to make it a complete and thorough monopoly.

1484. How can it be a monopoly, if every medical man now or hereafter existing is exempted from every operation of this Bill whatever?—It is not a monopoly as far as regards medical men, but it is as regards druggists, and I think it ought not to be so.

1485. You have stated that the medical men have no rights when acting as chemists and druggists at present by statute; are you acquainted with the Apothecaries Act?—It has been stated that the medical men who are licensed in Scotland have no statutory rights in relation to pharmacy in England.

1486. But this Bill merely relates to the assumption of the name of pharmaceutical chemist, or any name or emblem, &c.; by the 20th clause, medical men are excepted from the operation of it, and are allowed to retain all their rights, but I believe your objection is, that these rights are not given to them by any statute; you say they do not now possess the right to act as chemists and druggists, except by sufferance?—No, they possess it as British subjects now, because there is no statutory disqualification against a person practising as a druggist.

1487. Are you acquainted with the Apothecaries’ Act of 55 George the Third, cap. 194?—Yes.

1488. Do you recollect a clause in that Act which exempts from the operation of it any chemist or druggist,—“That nothing in this Act contained shall extend, or be construed to extend to prejudice, or in any way to affect the trade or business of a chemist or druggist in the buying, preparing, compounding, dispensing, and vending drugs, medicines, and medicinale compounds, wholesale and retail; but all persons using or exercising the said trade or business, or who shall or may hereafter use or exercise the same, shall and may use, exercise, and carry on the same trade or business in such manner, and as fully and amply, to all intents and purposes, as the same trade or business was used, exercised, or carried on by chemists and druggists before the passing of this Act.” Are you aware that that

provision



provision will remain in full force after the passing of the Pharmacy Bill?—That is in relation to the apothecaries of England. J. Gairdner, Esq.,  
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1489. This is in relation to the privilege any individual now possesses of carrying on the business of a chemist and druggist in England and Wales, and consequently it would include Scotchmen as well as Englishmen?—I am not clear about that, but it may be so. I think it is a thing that ought to be made as clear as sunshine, because otherwise it would be just like repeating upon us the old evil of the Apothecaries Act. I will make it quite clear to the Committee what my idea is; whether I am right or wrong, the Committee will judge. The Apothecaries Act of 1815 rendered it impossible for any person to practise as a medical man in England who held our licence; prior to the passing of that Act, persons holding the licence of the College of Surgeons in Edinburgh could practise in England, simply because there was no law against it; they had passed an examination before us in medicine and surgery, and that examination was received by the people in England as a sufficient proof that they were competent and educated men; there was no statutory disqualification prior to that Act; that Act created a statutory disqualification, and from the time of its passing, persons licensed in Scotland, who had passed an examination as good as the apothecaries gave them in England, became incapable of acting as what are called apothecaries, that is, of both giving advice and dispensing medicines. Now the effect of this clause, as I view it at present, would be to create a similar statutory disqualification in relation to pharmacy. At present those who have taken our diploma, and have been examined in pharmacy, and licensed in pharmacy, are received as proper persons to conduct a druggist's establishment in England. I apprehend, unless this 20th clause is amended in the way I have suggested, a statutory disqualification would be created against them similar to that which was created against them in reference to medical practice by the Apothecaries Act. It is easy for you to remedy that by putting in words to the effect I have suggested; but it is a most vital point to our licentiates that they should have the same power of practising as druggists as that which they now possess in the most unrestricted manner in England, a power from which they ought not to be driven, they being a set of men fully qualified, and possessing diplomas which import that they have been examined in pharmacy.

1490. You have made some remark respecting the privileges which would be enjoyed under this Bill, supposing it were to be passed, and you have said that your licentiates would not be enabled to enjoy those privileges; what privileges are you alluding to?—It was just those I have been mentioning.

1491. I am confining myself entirely to the privileges created by this Act; it has been already understood that your licentiates are to be exempted from the operation of this Act, and that they are to be in the same position as if this Act had not been passed; is not that satisfactory to you, or do you require certain privileges in addition, and if so, what are they?—It is stated in this 20th clause, that they shall be held capable of *practising as druggists* in every part of Her Majesty's dominions; I would have this put in in words, because it is not enough to say all their rights and privileges are reserved.

1492. Would it not be inconsistent in one clause to put in an exception giving a privilege to other parties to practise pharmacy, when there is no prohibition to the practice of pharmacy in the whole of the Bill; the prohibition being to the assumption of a name or title, or emblem, while there is no prohibition at all to the practice?—I think there is a prohibition.

1493. The assumption of the name or the title is the prohibition contained in the Bill, and would it be consistent with that to introduce an exception which alludes to something else, namely, the practice of pharmacy?—I contend that they should be entitled to assume the name and title, and that they should be entitled to be registered under the Act, but I consider this 20th clause relates merely to medical men being entitled to practise as druggists without examination.

1494. You consider that they can now practise as druggists, and can assume the title without any restriction whatever?—Most undoubtedly, and I wish that to be left entire.

1495. If they are left to enjoy all their ancient privileges in as full, ample, and beneficial a manner as if this Act had never been passed, would they not still be able to practise as chemists and druggists, and to assume the name and title of chemist and druggist?—No; I hold the "rights, privileges, and immunities"

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would be interpreted by the lawyers to mean *statutory* rights, and I hold that they have none.

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1496. Is there not a statutory right in the Apothecaries Act, which leaves chemists and druggists in the enjoyment of all the privileges they had before the passing of that Act?—Yes, but that has nothing to do with this Bill; this clause relates to the interpretation of this Act, not of the Apothecaries Act; this is a matter for lawyers to inform you about better than I can, but my objection to this clause is that it does not say *in terms* that they shall be permitted to conduct a druggist's establishment as they now do.

1497. Are you aware that the Bill does not prohibit any person from conducting an establishment, provided he does not assume the name; it does not prevent an apothecary from conducting an establishment?—But why not assume the name; why should he not be entitled to put up over his door “pharmaceutical chemist”?

1498. Is it not desirable that the public should be able to judge whether a person is qualified or not by the rank which he holds?—I have already said I do not see that that is very desirable; whether it is desirable or not I wish to have these men protected in the enjoyment of a power for which I think they have not incurred any disqualification, and for which I think they will be as well fitted as any persons examined under this Bill.

1499. I do not understand in what way you conceive this Bill can injure the licentiates of your body; supposing a member of your body was established as a chemist and druggist, in what way will this Bill affect him, seeing that he is exempted altogether from its operation, and that he enjoys all the privileges he would have had if this Act had never been passed?—I am at a loss to find any words clearer than those which I have already employed.

1500. I merely want to connect your words with the clauses in the Bill, for I cannot find any provision which confirms the opinion you have given as to the injurious operation of the Bill?—Suppose this Bill were to pass with these clauses unamended, and that two or three years hence a licentiate of the Royal College of Surgeons of Edinburgh were to settle, we will suppose in Carlisle, as a druggist, and that a prosecution were to be raised against him on the ground that he was not a pharmaceutical chemist in the terms of this Act, and he urges as a plea that he is a medical man, and that by this clause he is exempted from the operation of the Act. Would not the lawyer say, “No, sir, he is not exempted under the provisions of this Act. This 20th clause merely says that all the rights, authorities, privileges, and immunities which he had are reserved entire to him, but on this side of the Tweed he never had, in virtue of his diploma, any rights, authorities, privileges, or immunities; he has merely practised the art of a druggist, not in consequence of having chartered rights to do so, but in consequence of there being no law against it, no statutory disqualification, and this clause only reserves those rights, immunities, and privileges which are chartered rights and statutory rights.”

1501. Mr. Hindley.] Then if the words were “rights, statutory or otherwise,” would that meet your view?—Yes; statutory or common law rights.

1502. Chairman.] Do you consider that this Bill repeals the Apothecaries Act, or any clause in it?—I have not considered that question. I have not read the Apothecaries Act for a very long time, and therefore I cannot judge as to its bearing. All I am anxious about in relation to this particular clause is, that our licentiates shall not be deprived of the privileges they now have. I wish also that besides putting this to rights, they should be permitted to register under your Act as druggists; but this clause, which is merely intended to prevent them from losing the right which they now have, should be made perfect.

1503. I think I understand your opinion on that subject, but with respect to the privilege of registration, what privilege could it be to your licentiates to register themselves as chemists and druggists when they can without registering act and call themselves chemists and druggists, or medical men, whichever they please, and do anything as fully and amply as a chemist and druggist. What privilege would they have in addition by their names being entered among a body of men who by charter are restricted to pharmacy, and who by this Act are not medical men; the definition clause excluding those who are medical practitioners?—My answer to that is this; I hold that if, having been examined in pharmacy, they desire to become druggists, they ought to be permitted to do so.

1504. Seeing that permission is granted to them fully, what advantage would they



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they derive from their names entered in a book as belonging to a particular corporation, the operations of which corporation are confined exclusively to the body comprised under the Royal charter?—The whole of this Act is intended to remedy ignorance. I hold that the persons who have taken medical licences are to be considered, as a class, better informed persons than those who restrict themselves to pharmacy as a separate business, and therefore that they are better qualified to carry out the purposes of the Act, and to increase the knowledge of the pharmaceutical chemists by their co-operation; and as to privileges, although there is no large amount of privileges conferred, there is some advantage in being a member of a body which has the power of choosing examiners.

1505. That is, under a separate head?—They have power of voting for members of a large pharmaceutical corporation. I have no doubt many medical men would not choose to exercise it. I only wish that they should enjoy the right to enter without an examination, and without the expense of an examination, which in their case is totally unnecessary.

1506. I believe you admit that the medical practitioners whom you represent are a superior class, and are better educated than chemists. What advantage would they derive when they are able to act as chemists without being registered, from their names being enrolled on a list with an inferior class?—I am assuming it is their wish (which it might be) to ally themselves with this supposed inferior class. Why should they not be permitted to do so I should like to know? I see no reason why they should not be courted. You want to remedy ignorance, why then subject them to a second examination when they have been examined already?

1507. *Sir W. G. Craig.*] They are not entitled to assume the name of pharmaceutical chemists; and one reason is, that the pharmaceutical chemists are to have a superior status and position. You wish the licentiates of the Scotch colleges to be entitled to these advantages without paying fees or going through a second examination?—I see no reason for excluding them, but a strong reason for admitting them.

1508. *Chairman.*] Have you studied the history of the society of apothecaries, and the way in which they have gradually in the course of years become from mere dispensers of medicine to be a class of medical practitioners?—Yes.

1509. Are you not aware that in consequence of that another class has risen up, who are pure pharmaceutical chemists, without any medical qualification?—Yes.

1510. And do you not think that if medical men were permitted to be mixed with that class, the tendency would be that it would ultimately become a medical body in the same way as the Society of Apothecaries has become a medical body?—I am not very favourable to the Bill at all, and I shall not grieve if it is thrown out; but I wish to avoid incumbering the future progress of our medical legislation by a new incorporation, or if it is to be a new incorporation, I wish that medical men shall be freely admissible to it, as the best persons to work out its purposes.

1511. Do you think the separation of the practice of medicine from pharmacy is desirable, so far as it can be practically carried out?—Yes, but I think it is wrought out largely among us; we have nothing like an apothecaries' company binding medicine and pharmacy inseparably together, and that, I think, is a faulty thing in England; and the consequence is, that there is not a medical man of any status (at all events I do not know of any) in the whole circle of Edinburgh who dispenses drugs to his own patients; and in all the large towns of Scotland the separation is going on in consequence of causes having nothing to do with legislation; it is increasing every day.

1512. Do you think it desirable that there should be a distinct class of pharmaceutical chemists not at all connected with the medical profession?—I think it is most desirable.

1513. Do you see any objection to the establishment of that class in such a manner as to keep them isolated and distinct, so that there shall be no mistake about the fact that they are not members of the medical profession?—I do not see any necessity for that; I think it is not at all required.

1514. Do you not think some confusion might arise from the union in one body of the medical, surgical, and pharmaceutical chemists having different qualifications, but all professing to occupy the same position?—I do not see any harm in it.

1515. Would it not answer all the purposes the public require, and the interests

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of the several medical bodies, if they were allowed to compete as chemists and druggists with the recognised chemists and druggists without their names being entered upon the same list if free admission was allowed, each keeping their own register, and not mixing up the two classes on the same register?—No, I do not think it.

1516. With respect to the examinations, you state you have the power of examining in pharmacy?—Yes.

1517. Is it not the case that in the examination for medical degrees, and for the qualification of all medical men, questions are asked in reference to pharmacy?—Yes.

1518. In all medical bodies?—In our body it is, not in all; the College of Surgeons in England does not examine in pharmacy at all.

1519. Have you the power of examining pharmaceutical chemists and apothecaries, for a special qualification in pharmacy?—No such thing; there is no power of examining them in Scotland at all.

1520. Do you think it desirable that chemists and druggists should be examined?—No; I do not think it desirable that they should be compelled to be examined.

1521. But do you think it desirable that they should be examined?—I do not attach any importance to the examination of them at all.

1522. Have you ever used any endeavour to obtain any system of examination, to which chemists and druggists should submit?—No, I have not attached any importance to their examination.

1523. Then on what ground are you so much annoyed, because the chemists and druggists wish to institute an examination for the improvement of their own body; if it is of no importance, how can it injure you?—I have explained so much at large the various modes in which I think this Bill injurious, that I have nothing more to say on the subject. It has been the object of my whole evidence to state, first, how it bears on medical men; secondly, how it bears on certain medical institutions; and, thirdly, on druggists themselves; I think the compulsory character of this Bill would deprive us of the advantage which arises at present from free competition.

1524. You say that although you consider an examination of very little importance, yet you desire that if any examination should be instituted, a joint board of examiners should be formed in which your body should take the first place, and that you should appoint the examiners?—I wish that the two colleges and the Faculty of Physicians and Surgeons at Glasgow should appoint the examiners. I am willing that a portion of the examiners should be taken from druggists who are non-medical, but members of the society.

1525. Would it not be satisfactory to you if the chemists and druggists in England and Scotland jointly nominated the examiners?—Do you mean that they should nominate a certain proportion of the board of examiners, and that the colleges should nominate the rest?

1526. No; the system of examination being conducted by the Pharmaceutical Society, but the chemists of Scotland having a voice in the nomination of the examiners?—No; I do not think that would answer. I think the medical practitioners have a most distinct interest in any system intended for the improvement of the qualifications of the druggists, and I think a defect of this Bill is, that it does not recognise that as a principle. I think the interests of the public are to be looked to, but the profession to which I belong have an interest in common with the public in all measures that may be thought prudent for improving the knowledge of the chemist and druggist. If the system of this Bill could be shown to interfere (which I think it can be shown to interfere) with causes now at work, and which are gradually improving the qualifications of these men, then I think the medical men of this country would feel the effect of it, and the public would feel it ultimately; and therefore the medical men ought to be consulted with regard to the choice of examiners, if you are to have a board of examination.

1527. But if you as a medical man do not consider the examination of much importance, and if the chemists in their capacity as chemists feel desirous of raising the standard of their qualifications, and do consider it important, do you think that the power of examination should be placed in the hands of those who undervalue it, and that it should be taken out of the hands of those who are desirous of carrying it out for the credit of their own profession?—Do not mistake me; I think if the Legislature determine to do it, the medical men will set about honestly

to



to carry out the provision in the most efficient manner possible; but I think they will combine together against a Bill which is so obviously calculated as this is to produce a gross monopoly, and will oppose it in all its future stages, unless amendments are made which shall be effectual and satisfactory.

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1528. Do you think it can be called a monopoly if it does not interfere with medical men carrying on business as chemists and druggists, and does not interfere with the right of a general shopkeeper in a village to sell drugs?—I think it is a monopoly.

1529. I think you stated that the voice of the monopolists ought not to be listened to, but that other people ought to be asked?—No; I do not say that, I said it was a bad argument that parties seeking a monopoly are unanimously in favour of it; I said that was a bad argument.

1530. But seeing that the others would be included in whatever privileges there might be conferred by this monopoly, as you term it, is there any reason why those persons who are to enjoy a share in the privileges should be opposed to it? You call it a monopoly; but every individual in business would share in that monopoly if it be one?—Surely.

1531. Then could they have any right to complain, if without any trouble on their part they are secured in the enjoyment of the privileges, whatever they may be, which are conferred by this Bill?—I do not follow the question.

1532. From your remark about only a limited number having petitioned in favour of this Bill, I inferred that you considered that that was no argument that the chemists generally approved of it; but when you are informed that every chemist already in the business will share in the benefits, whatever they may be, conferred by this monopoly, as you term it; do you think any of them could possibly have any right to complain?—Perhaps not; I am supposing they do not complain; I am supposing they are all agreed as to the desirableness of it; and I say, that is no reason for passing the Bill. If all the tobacconists could combine, and ask for a monopoly against any others who might seek to come into the field, the Legislature would say they ought not to be listened to. All objections on the part of the general public, or on the part of such bodies as I represent, ought to be listened to long before you would listen to those parties who are seeking the monopoly; that was the nature of the argument I put; I endeavoured to put it as clearly as I could.

1533. *Sir W. G. Craig.*] You look on it as an absolute monopoly, with the exception of a few medical practitioners who would be entitled to exercise this privilege?—Yes.

1534. You think that to a certain extent it is an actual monopoly?—Yes.

1535. Your principal objection to this Bill is its extreme stringency and monopolist tendency?—Yes; my first objection is, that that 20th clause is not satisfactory, and my second objection is, that medical men are not allowed to register so as to obtain the privileges of it; my third objection is, that the Board is appointed in Scotland by means of a corporation in England; and my fourth objection is to the penalties.

1536. *Chairman.*] You speak of a corporation in England, but you must be aware that the society extends all over the kingdom, and that there is a committee sitting in Scotland; does not that remove your objection?—No, it does not.

1537. *Sir W. G. Craig.*] You are of opinion that it would be extremely inconvenient to the public if in future no person in England could open a small druggist's shop without having undergone a regular examination, and taken out a diploma from this society?—I think it would be a very inconvenient thing for the public, as it would deprive them of a set of very useful men in small hamlets and villages in the country. If you require that every chemist shall be a man who has passed a high examination, and attended lectures on chemistry and botany, the inhabitants of small places cannot get such men; if they are to have such a man he must be paid for, and such men are not required. They can with a little trouble send to a country town; but for immediate exigencies they get within three doors of them 20 grains of rhubarb, two drachms of senna, an ounce of epsom salts, or they get these medicines compounded according to the terms of a physician's order with great exactness, though the man who does compound them does not know much of chemistry; he picks up a little from books or from experiments in his laboratory, but has never attended a lecture in his life, yet he is able to satisfy the villagers in his immediate neighbourhood with a number of medicines which he doles out to them every day.

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1538. The effect of the penalties would be to cause all persons wanting medicines to go considerable distances to procure them?—Yes. Suppose I give a prescription to a person who lives in a village distant from me in Scotland; the man can read the prescription with very little science; he knows the quantity; he has scales and weights, and can weigh drugs, and though with only a moderate amount of information he knows enough; if he were to attempt more, to become a manufacturing chemist, or to prepare many of those drugs which he buys ready prepared, he would not probably have science enough for that; but he has science enough to make himself very useful in the locality in which he is placed, and he is constantly exposed to the risk of a person of greater qualification coming and depriving him of his bread.

1539. Would it not be a benefit to the neighbourhood to have a man of superior qualifications resident in these country villages?—I think the benefit is accruing every day, under freedom of action; a man bred 50 years ago is supplanted by a man bred under the modern system, and he in his turn is liable to competition from a man of higher qualifications.

1540. But if I understand you rightly, your objection is not to having a person of superior qualifications settled in the neighbourhood, but your objection is to the fact that in the event of a superior person coming to settle in the neighbourhood it would take the bread from a man who had adequately supplied the wants of the people previously; is that your objection?—No, I wish every man in the country to be subjected to the freest competition, and my objection to this Bill is that by rendering an expensive qualification needful to settle in a village you prevent a man from going into competition with those now in the business merely because he is a poor man, and cannot afford the expense of attending lectures and passing an examination, notwithstanding he might possess all the qualifications required to make him eminently useful.

1541. Would not the result of that be, that in country places where there was very little demand for medicines, if it was necessary to have a very superior person resident, a superior person would not go to reside there, and the poor would have no means of obtaining medicines at all; would not that be the effect of carrying out the Bill in its extreme stringency?—I think so.

1542. That is your opinion?—I think so most distinctly. I think it would deprive many of those localities of useful men, and deprive them of the advantage of the voluntary settlement of very useful men, in competition with the inferior men now existing.

1543. And that you think would more than counterbalance the occasional inconvenience and possibly danger arising from inexperienced persons selling drugs?—I think so.

1544. Do you suppose it would be possible to get pharmaceutical chemists to settle in the remote parts of Scotland, persons who had gone through such education, and people able to go to such expense?—I do not believe it.

1545. And any of the young men bred in the apothecaries' shops in these remote parts could not come up for such an examination, and return duly qualified to set up in business?—I think not.

1546. *Chairman.*] Do you believe there is a single instance of any village in the entire kingdom where there is a chemist acting wholly as a chemist, and not as a general shopkeeper?—Yes, I think so.

1547. The usual practice in these villages is, that the general shopkeeper sells some drugs, and this Bill will not prevent him from selling drugs, but he will not be permitted to give the public to understand he is that which he is not, namely, a qualified pharmaceutical chemist; would not that regulation meet your objection?—It would completely meet my objection if you apply your penalties merely to the assumption of a characteristic title; select any title which you think would be characteristic, and then unless a man has passed through the required ordeal, make it penal to assume that title, because to do so is a fraud. The clause as it stands would include every person who put a bottle in his window, or called himself by any title, importing that he devoted himself to that line of business.

1548. At the same time would not the putting up of a few bottles of coloured liquid be as intelligible to the minds of the poorer classes, if not more so, than the words "Pharmaceutical chemist"?—No doubt.

1549. Would that not lead them to believe a man was qualified as a chemist, although



although he might not be so?—It is impossible to make anything of the kind perfect. *J. Gairdner, Esq.,*  
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1550. Is there any difference between a deception practised by signs and a deception practised by words, if the public are deceived by it?—You may as well apply it to the case of us medical men: a man calls himself a surgeon, and we never think of interfering with him; there is no such thing as a prosecution for assuming to act as a surgeon; a man may put “surgeon” over his own door, though that might be held to imply that he had passed a surgical college. There are instances of people giving advice as surgeons, and the College of Surgeons never meddle with them; we have the power, but nobody ever dreams of exercising it. Why should not the druggists be in the same position? If you wish to have a higher order of druggists, and to confer on that order special privileges and advantages, for instance, granting them the power of supplying poor-law unions, and making it penal to assume the characteristic title, then I think that is all fair; but if you have a stringent clause, providing that, if persons who have not passed a certain examination call themselves by any title importing that they deal in drugs, they shall be liable to penalties, then, I think, you will be creating a dangerous monopoly.

1551. Do you think that the stimulus of holding a proper position in society operates sufficiently as a protection in the case of a surgeon?—I think it does.

1552. Do you think that that which, with a well-educated man would operate as a stimulus, would also operate with small shopkeepers, a great many of whom have scarcely been to school at all, or have had a very imperfect education?—I cannot answer what may be the effect of that; that is more a question for those who are solicitous for the Bill, than for me to solve; I state my objections to it.

1553. Is there anything else you wish to state?—No; I think I have pretty well exhausted all I wish to state.

*James Combe, Esq. M.D., called in; and Examined.*

1554. Sir *W. G. Craig.*] YOU are President of the College of Surgeons?—*J. Combe, Esq.,*  
Yes. M. D.

1555. Have you heard Dr. Gardiner’s evidence?—I have.

1556. Do you concur with him in the general purport of that evidence?—I do.

1557. Do you take the same objections to this Bill as those which he has stated to the Committee?—Yes, I do; I object to the monopolising character of the Bill. In so far as it tends to advance chemistry and pharmacy, I should be very glad to concur, and I am sure the College of Surgeons would be very glad to assist in promoting it; but there seems to be no inducement to support it as at present framed. By the Bill, as it now stands, every druggist is obliged to be a member of the Pharmaceutical Society. I think the trade of a druggist is in a very satisfactory state in Scotland; in the large towns there is a sufficient inducement to embark capital to ensure skilful persons, while in small country places the chemists are as good as can be expected; and it occurs to me, that if this compulsory clause is insisted on, the necessary effect of that would be to deprive many of the remote and poorer districts of the services of men who at present satisfactorily conduct the business; the business of a druggist is nothing but a trade.

1558. But you regard favourably, do you not, the exertions which the Pharmaceutical Society are making to improve the character of chemists; are you of opinion that their exertions are of much importance?—Not very much; I think their laying down a course of study may be useful, provided the requirements are not too stringent.

1559. Do you think that the practical acquaintance with drugs which an apprentice gets during his apprenticeship is of more importance?—Yes, much more, combined with honesty; and I believe that in no department is honesty of more importance than it is with reference to the sale of drugs, and that qualification of course cannot be insured by Act of Parliament.

1560. Do you think that if this Bill were passed, as it now stands, it would be attended with inconvenience to the public at large?—I think it would, particularly in the remote districts of Scotland; and there are other objections to it, among which I would mention that it is in reality establishing another set of  
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medical practitioners; although the object of the Bill is not to qualify men to give medical advice, still it is not easy to prevent that from being the effect of it. In selling medicines, the seller is very apt to give advice, and if a higher title is given to the druggist than he has hitherto held, I think that would be still more likely to occur; in fact you would be establishing in Scotland a set of apothecaries; a set of persons, whose practice would not be confined to the sale of drugs, but who would become irregular practitioners.

1561. You think that imperfectly educated persons, instead of confining themselves to compounding medicines, would be led to prescribe them?—Yes, I think it would lead to that, though that is not the object of the Bill.

1562. *Chairman.*] Are you aware that the object of the Bill is rather to check that than otherwise, by separating the practice of pharmacy from that of medicine, making them distinct bodies?—I understood that the object of the Bill was chiefly for the improvement of pharmacy.

1563. *Sir W. G. Craig.*] Although that is the object of the Bill, do you think that that which you have stated would be the effect of it?—I think so.

1564. *Chairman.*] Do you know the practice among chemists throughout the kingdom?—No; I only know the practice in Scotland.

1565. Do you believe that in Scotland prescribing over the counter is generally resorted to by chemists?—I think so.

1566. Is it confined, do you think, to chemists of a lower grade?—I believe it is done by most.

1567. *Sir W. G. Craig.*] Do you think that in the case of trifling complaints it is almost the invariable practice for a person who goes to buy drugs to consult the chemist of whom he purchases them?—Yes.

1568. Do you think that the alterations in the Bill which Dr. Gardiner has suggested with reference to the privileges sought to be retained for the licentiates of Scotch medical colleges are important?—I think so; I think that limiting the name to a specific epithet is indispensable, and that whatever benefit you derive from that is so far well; but I think it is a very objectionable thing to include under the title of pharmaceutical chemist every druggist or every person who compounds medicines.

1569. With regard to the medical licentiates, do you consider it of importance that they should be secured in the possession of whatever rights they at present have?—Yes, I think it is important, not only that they should be secured in all their present rights, but I think it is important also that every right should be possessed by them which is to be conferred on any members of the society now to be incorporated; I think that a provision of that kind is wanting in this Bill; their present rights are secured to them, but I doubt very much whether they have now in England rights such as those which would be conferred by this Bill, and I think it should be distinctly expressed upon the face of the Bill that they are to have all the rights which this Bill is intended to confer on members of the society. That applies to the members of the college to which I belong, and to the other bodies which examine in chemistry and pharmacy.

1570. *Chairman.*] Do you require that additional rights and privileges should be given to your licentiates, over and above those which they now possess?—I think that if this Bill is passed into an Act in its present state, it may interfere with their rights.

1571. But do you want any additional rights to be conferred by this Bill, beyond those which they already possess?—Yes, I would desire that they should possess every right which this Act confers; considering that they possess a higher qualification, I think they ought to be allowed, if they think fit, to merge into this body without examination and without expense.

1572. Supposing it to be desirable to improve the education of pharmaceutical chemists, and suppose a Bill to be introduced for that express purpose, excluding from the corporation all medical professors, do you think it is necessary that clauses should be introduced into that Bill for the purpose of giving additional and new privileges to medical bodies, the Bill being intended to have reference to pharmaceutical chemists only?—I must look to what I think will be the practical operation of the Bill, and I think the effect of it may be to injure those who possess higher acquirements than a chemist need possess. In villages and small towns it may be very desirable that a person holding a diploma of a college should be allowed to sell medicines, otherwise a person going and settling there as a pharmaceutical chemist, might interfere with



with his business, and I think that such a person ought at once to be declared competent to be a member of this body.

1573. Do you think it a fair principle of legislation, to keep in a state of ignorance the one class, and to prevent their being educated in their own legitimate pursuits, from the fear that if so educated, they may in some degree interfere with another class?—The curriculum of study required for a surgeon is greater than that necessary for a pharmaceutical chemist, and therefore I hold that the higher acquirement should give the same qualification as the lower.

1574. Do you consider it consistent with the dignity of the body possessing the higher acquirement to be jealous of the inferior class educating themselves in their own specific pursuit. The chemists and druggists, you say, will probably interfere with the interests of some of your body, who according to your statement possess superior acquirements; do you think it consistent with your dignity to be afraid of competition with the inferior class, and to be apprehensive that the effect of requiring them to be taught a little more chemistry and pharmacy will be to injure your practice by that competition?—I should not wish persons who are fully qualified as physicians or surgeons to enter into business as druggists, but at the same time I can conceive cases where such persons would be very beneficial to the community among which they are placed, and I think they should not be deprived of any power that they now possess.

1575. Do you think that in order to protect those persons it would be desirable to throw aside the opportunity of improving the general qualifications of pharmaceutical chemists as a body?—I think that if you limit your title to a certain body, that will answer every good purpose.

1576. If the members of your body have the privilege of carrying on the business as fully as if this Bill had never been passed, what more could you wish with reference to it?—I doubt very much whether they have that power in England.

1577. Whatever powers they have in England they will still have, if this Bill shall have passed; do you want any fresh powers?—Yes.

1578. Then would it not be better for you to bring in a Bill to obtain them instead of calling upon the chemists to insert in their Bill a clause for your benefit?—I think the simpler plan would be to insert in this Bill a clause conferring upon those who hold a higher qualification all the rights which the body is to possess, so far as regards the sale of drugs.

1579. Do you understand the operation of the Apothecaries Act with reference to the exemption in favour of chemists and druggists?—I am not aware that a licentiate of the College of Surgeons is entitled to sell drugs in England by virtue of his diploma.

1580. No; but in the Apothecaries Act, which interferes with your licentiates, there is a clause which exempts chemists and druggists from the operation of the Act, under which clause any member of your body may at this moment commence business as a chemist and druggist, and obtain protection, and by this Bill he would retain whatever protection he now enjoys; do you not think that that would give you sufficient protection?—No; at present he is not interfered with, but if this Bill were passed I think he might be.

1581. You think he might be interfered with, notwithstanding the provision which reserves to him all the rights and privileges which he now enjoys?—Yes.

1582. How can the Bill interfere with him, if it contains a distinct provision that he shall not be interfered with in any way whatever?—He has no statutory right now in England.

1583. Does not the Apothecaries Act, which recognises the existence of chemists and druggists, give him protection?—I am not aware that that applies.

1584. Sir W. G. Craig.] Is what you require this: that no new body shall be established with new and exclusive privileges from which the licentiates of your college shall be prevented from participating in?—Certainly.

1585. You think that if there are new and exclusive privileges granted, you, as a superior body, are entitled to share in them?—Yes, I think it should be at their option, without fee and without examination. I have already stated that with us there is a curriculum of study which enjoins chemistry and practical pharmacy; that appears upon the face of the diploma, and every licentiate who gets a diploma is examined accordingly.

1586. Chairman.] If every privilege which your licentiates have is reserved to them, what benefit would they derive from having their names enrolled as members

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of an inferior class?—I think that practically the Bill would operate to their prejudice. The 15th clause prevents persons who have not been examined from assuming the title of “Pharmaceutical chemist.” I think that provision should be applied merely to the fraudulent use of the name, and I think it ought to be declared that every person holding a licence from the College of Surgeons, or from the Faculty of Physicians and Surgeons, should, *ipso facto*, upon the face of this Bill be entitled to use the epithet. I think the Bill might be much more explicit.

1587. You are aware that the object of the Bill is to separate the body of pharmaceutical chemists from medical men?—I am not prepared to adopt that view. I think that the operation of the Bill would be hurtful to the licentiates of the College of Surgeons.

1588. In what way would the absence of the name of a licentiate from a book which happens to be kept in Bloomsbury-square, injure him in carrying on his business?—It might be hurtful to him in this way; that in the same street, or in the same village, one man would assume the title and the other would not, though the one who did not was possessed really of higher acquirements than the one who did.

1589. But the privilege of assuming the title of chemist and druggist being conceded to him, and the privilege of carrying on business as a chemist and druggist being conceded, what difference can it make to him whether or not his name is enrolled in a book kept by a corporate body with which he has no connexion?—I think he is entitled to exercise the right if he desires to do so, he possessing the higher qualification.

1590. Of what use would the right be to him; would he be any better for it?—I think that his practice in the country might be interfered with if he could not say that he belonged to this body. I think that another man of lower attainments, if he were known to be a member of this body, might interfere with his business in a manner which would be injurious to him.

1591. Is it not the case that a member of the College of Physicians, if he wishes to become a member of the College of Surgeons, must go through a separate course, and possess a separate qualification?—Yes.

1592. So that the one privilege does not confer the other?—No.

1593. Are not the two bodies kept distinct?—They are.

1594. Would you consider it desirable to place on the register of one body persons belonging to other bodies having no connexion with yours?—I cannot suppose the case of a man put on to our list who did not belong to us.

1595. Then do you consider that it would be fair or proper to place on the list of pharmaceutical chemists men who have passed such an examination as entitles them to be medical practitioners, but who have no connexion whatever with the body of pharmaceutical chemists?—Their being on the list would merely connect them with the body, and I think it should be left to their option to be on the list or not; they are fully educated, and I can see no objection to their being on the list. What I object to is the compulsory clause which is contained in this Bill; I would leave it optional with every person holding a diploma to join this body if he pleased.

1596. Sir W. G. Craig.] Do you think that the persons among them, the persons of a higher grade, would have a tendency rather to raise the status of the pharmaceutical chemist?—Yes.

1597. What is your opinion with reference to a board of examiners?—I think that as regards Scotland, it should be a Scotch business; I am sure that the profession in Scotland is perfectly competent to undertake the necessary examinations; and, considering that the Colleges of Physicians and Surgeons do hold rights in respect of pharmacy, I think their functions should not be superseded.

1598. Chairman.] Have they exercised that right in regard to pharmaceutical chemists, or do chemists pass an examination?—No; but pharmacy is mentioned on the face of every diploma of a surgeon.

1599. Sir W. G. Craig.] Do you think it would be sufficient that the Colleges of Physicians and Surgeons should be represented in that board of examiners?—Yes, I should be satisfied with that, provided the colleges named their own members, and they were not nominated by the Pharmaceutical Society.

1600. Do you not think it would be invidious to take the whole body of examiners out of the society?—Yes; I should be satisfied if a portion were chosen by the College of Surgeons and the Faculty of Physicians and Surgeons.

1601. Do



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1601. Do you think there would be any difficulty in making an arrangement upon that subject which would be satisfactory to the colleges and to the Scotch pharmacists?—No, I am not aware that there would.

1602. Such an arrangement has failed in England from difficulties with regard to the College of Physicians, but you do not apprehend that any such difficulties would arise in Scotland?—With regard to the College of Surgeons, I do not think there would be any difficulty, provided the monopolising part of the Bill were removed, and the penalties to which we object very strongly were removed also.

1603. You would not object to a penalty being imposed on a person improperly calling himself a pharmacist?—No, because that would imply that he was more than he really is.

1604. You only object to the penalties being extended to the case of persons carrying on the trade of a chemist and druggist?—To all who shall sell medicine.

1605. Does anything else occur to you to suggest to the Committee?—Only that I think the last clause should be modified; I think that one name should be assumed by the society, and that it should not be so comprehensive as this which includes every seller of drugs throughout the country.

1606. It would not include a man who sells jalap, salts, and senna in a village unless he also dispensed prescriptions?—I think that the high name which is assumed should be limited to a smaller number of persons, and that the rights of licentiates should not be interfered with. I would give encouragement to men who go through an examination, but I would impose no penalty on those who do not.

1607. Would not that be giving a monopoly to a small number of individuals, instead of conferring the privilege on all those entrusted with the responsible duty of dispensing prescriptions?—No, I think not; if you admit all those who are now selling medicines, you admit a number of very unqualified people.

1608. Would not that cure itself in process of time, as the operation of the Bill brought the forthcoming generation before the examiners?—I think the business is going on very well at present; many chemists are a very high class of men, although in the country I admit they possess lower acquirements, but no Bill that can be passed would ever prevent that difference from being apparent.

1609. Is it not the duty of the Legislature, if perfection cannot be attained, to arrive as near it as they can?—It is very desirable if it does not lead to positive evil, which I think this Bill would.

1610. Do you think it a creditable thing for this country to be the only country in the world in which the class of persons performing pharmaceutical operations are subject to no regulations?—We are not under the same rigid surveillance.

1611. Lord *Burghley*.] Do you consider it desirable that chemists in this country should be placed under the same strict regulations as those under which they are placed in foreign countries?—No, I do not.

1612. *Chairman*.] Do you not think that a middle course might be taken which would tend to raise the qualifications of chemists without establishing that strict monopoly which exists abroad?—Yes, and I think that this Bill contemplates a possible benefit; I think that examinations might be useful, but I see no necessity for extending it to the whole community of druggists throughout the country.

1613. Do you not think that a good deal of responsibility attaches to the compounding of medicines and selling poisons, and considering the various strong remedies that are now introduced into medicine, such as morphia, strychnine, and hydrocyanic acid, do you not think that ignorant men ought not to be allowed to tamper with such things?—I believe that more than half the accidents that occur, occur more from carelessness than from ignorance.

1614. Do you not think that if druggists were better educated, they would be better able to distinguish between good and bad drugs?—A few might.

1615. Lord *Burghley*.] Do you not think there are many persons who have not passed a regular examination, but who are yet quite competent to sell medicines?—A very great number.

1616. Do you not think that there are a great number of very useful men throughout the country, who are able to do that, although they are not able to bear the expense of a regular examination?—Yes, there are a great many who possess sufficient information for that purpose.

*James Watson, Esq., M. D., called in ; and Examined.*

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1617. *Sir W. G. Craig.]* DO you hold office?—I am President of the Faculty of Physicians and Surgeons of Glasgow.

1618. You have heard the previous examinations of Doctor Gairdner and Doctor Combe?—I have.

1619. Do you generally agree in the opinions they have expressed?—Yes, generally, I do.

1620. We need not go over the whole examination again ; are there any points on which you wish to give any further information?—In the first place, I may mention that our body is different from those in Edinburgh in this respect ; that we actually have the power and have exercised that power of examining pharmacians by themselves.

1621. Have you any diploma for them?—We have ; I have a copy of it here ; we have not exercised the right very lately ; within the last 20 or 30 years we have exercised it. We conceive that this new chartered body will certainly interfere with the general regulation of the medical profession, which we all desiderate very much, whereby we conceive that an equal education should confer equal privileges everywhere.

1622. A new Reform Bill?—Yes, that is one great objection we have to this Bill, and certainly I must say this, that I do not think the Bill is very well expressed ; I have heard from Mr. Bell here to-day that it was never intended to take away any privileges from the licentiates of the Scotch bodies. Now I must say I do not think that the Bill is very well worded if that is the case, for on my reading it I certainly should think that it did take away their privileges ; that was the impression upon my mind, and it is the impression of my body ; but I should be very happy if the Bill should be altered in the mode which has been suggested, if it must pass. The first objection we have to the Bill is, that it is creating a new corporation ; that is the first objection. If that corporation is to be instituted, however, we certainly think it is but justice to our bodies in Scotland that our licentiates should have not only all the privileges, all the chartered privileges they have at present, but also those privileges which by common law they possess. I am not well versed in the history of the Apothecaries' Company, and I did not know that it so specially exempted chemists and druggists ; but it certainly did strike me that this new Pharmacy Bill would pull up our licentiates where the Apothecaries' Company perhaps had left them free. That was certainly one strong objection to the Bill in my mind.

1623. *Chairman.]* Would that objection be removed, in the event of your being satisfied that this clause, exempting chemists and druggists, remains in full force, and that they could claim under that clause full benefit, in the event of their being excluded from the pharmaceutical body?—I have no hesitation in saying it would do away with a considerable part of the objection of our body to the Bill, if that were really embodied in the new Bill, that is, if their privileges were decidedly and distinctly recognised ; now although there is a good deal said about privileges being preserved, yet where there are such clauses as Doctor Gardiner has referred to, whereby all medical men are to be excluded from being of this number, and from exhibiting certain symbols and taking certain names, and doing certain things, I cannot help thinking that the Bill will operate to the prejudice of our licentiates.

1624. They are excluded by the 20th clause from any operation at all, consequently they are allowed to act as if the Bill had not passed ; does not that alter your view?—Yes ; but why not place it in the former clauses in such an explicit form that there can be no doubt of it? Dr. Gardiner's correction of the clauses is thought by us exceedingly judicious ; I have not a copy of the words here, but I know the proposal he has made, and I think if it were acted upon it would make the Bill a good deal more clear.

1625. *Sir W. G. Craig.]* What you desire is, that there shall be no new exclusive privileges granted from which your licentiates should be excluded?—Yes.

1626. *Chairman.]* Then are you satisfied if you are allowed to remain as you are, or do you desire to have conferred upon you additional privileges?—I am quite aware of the good sense of what has been said, that if we want new privileges we should apply for them. We cannot ask for new privileges

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to be given to us by this Bill, but we should like to get the privileges which we think we enjoy at present specially recognised.

1627. At present you enjoy all the privileges which can be possessed by any member of the medical profession or chemist in England; and you wish that no additional privilege shall be created which you shall not also enjoy?—Certainly, in Scotland our licentiates practise as druggists; but the separation of the profession into its different grades is taking place fast. In towns, such as Edinburgh, Glasgow, and Paisley, and a number of other great towns, that separation is taking place fast, and very properly, I think; but in small villages our licentiates could not live, if they were not to be allowed to exercise that part of their profession which consists in selling drugs.

1628. *Chairman.*] But the right to exercise that part of the profession being given by the Bill, would that satisfy you?—If it was explicit.

1629. *Sir W. G. Craig.*] It is almost universally the case with country surgeons, is it not, that they have their laboratory attached to their house?—Certainly, and they could not live without it; in England I understand that our licentiates could keep a drug shop at present, but I did understand that it was by sufferance, and that it could be prevented. Now I am happy to understand that under the Apothecaries Bill they are allowed to do so at present, though that is not very explicit, I think, in reference to licentiates of a medical body. Pharmaciens are exempted there; but whether a licentiate of a Scotch body could go to England and open a drug shop by law I do not know.

1630. *Chairman.*] This clause includes every person who calls himself a chemist and druggist, whether he be a shoemaker, a blacksmith, or a medical man; the clause affects them all equally?—Were he a surgeon, would that clause of the Apothecaries Bill prevent him from being prosecuted?

1631. If he does not visit patients?—There is the difficulty. Our licentiates at present as surgeons visit patients. The Apothecaries Act, I understand, prevents them from dispensing their medicines and charging for them; but one could well conceive in small towns in England, as well as in Scotland, that medical men could not well subsist without also having a shop. In Scotland, we think the Apothecaries Act operates very harshly against our licentiates, and it would be a great pity if a new Bill were allowed to pass, which would make their position still more difficult, that is the feeling we have.

1632. But if the Bill left you in your present position, without making the slightest alteration in it, would you have any reason to complain of its not relieving you from the inconveniences arising from the Apothecaries Act?—I do not know that we should have reason to complain; we might murmur and think it hard, but as I said before, I do not think we are entitled to ask for new privileges without going boldly before Parliament and asking them.

1633. Do you think the duty of dispensing prescriptions is one that requires education?—I do.

1634. And do you think that means ought to be adopted, if that education be proved defective, for introducing an improvement?—I have personally no objection, but rather would wish to see every person connected with medicine elevated in his education certainly, but at the same time the feeling I have is that this present mode of effecting that end does interfere with the privileges of our licentiates. I am supposing the Bill is permitted to pass much in its present state; supposing that were to occur. I would of course wish that our licentiates should be at all events prevented from being injured by it, and that they should have all the privileges they at present enjoy in Scotland; in Scotland they have every privilege, but in England I would wish that they had the privilege of acting as pharmaciens, or of selling drugs. I would wish that preserved to them.

1635. It has been already stated to be in contemplation that they should have every privilege now enjoyed, and that being the hypothesis which we are upon, do you think it not desirable that an improvement should take place in the qualifications of the chemist and druggist?—The remark I would make upon that is, that this new body to be constituted will, I think, grow up like the Apothecaries' Company into a body of medical men; it is not that I would look upon them as rivals at all to my profession in any way, but I would look upon them as growing up to be very formidable opponents to any such change in the profession at large as that to which I have before referred.

1636. Have you studied the state of pharmacy on the Continent?—No.

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1637. You are not perhaps aware that there are similar provisions, only a great deal more stringent there; that the separation between pharmacutists and medical men is maintained with great strictness, and that instead of education having the effect of making pharmacutists medical men the opposite has been proved to be the result, they adhering to their own business and medical men adhering to their profession; do you think it desirable that efforts should be used for creating a similar separation in this country, and that such a separation would conduce materially to the interest of both classes and to the public?—If confined to the large towns I think such a separation would be exceedingly just, but I must say I do not think it can apply to the poorer districts of the country.

1638. You say the Faculty of Physicians and Surgeons have had the power of examining chemists and druggists, but have scarcely exercised it?—Yes.

1639. I suppose, when that power was given you, it was generally understood that it was desirable for chemists and druggists to undergo an examination?—Yes.

1640. And that they ought to be educated for the protection of the public?—Yes, they were at that time generally understood to be a part of the medical profession; at the same time our particular corporation was entitled, by the terms of our charter, to examine upon different departments of the art, and they were supposed to have an education suited to the particular department they were to exercise.

1641. It appears that that examination has fallen into disuse?—We have exercised the power within the last 20 or 30 years.

1642. But practically it is in disuse?—Practically at present it is, because we have been so much taken up otherwise, that we have not really attended to that part.

1643. The medical profession has so much to do with its own affairs that it has scarcely the time to attend to the other department; is not that the fact?—Yes.

1644. *Sir W. G. Craig.*] Have you discouraged applications for that examination, or have they ceased of themselves?—They have ceased of themselves.

1645. *Chairman.*] So that that regulation has in fact become inoperative?—Yes; if we were to encourage the pharmaciens to apply to us for a licence, I dare say they would regard it as a matter of some consequence to them.

1646. *Sir W. G. Craig.*] With regard to the more general provisions of this Bill, what is your opinion as to the compulsory clauses?—I think so far as our experience goes we find it a very disagreeable thing indeed; we have found these compulsory measures produce very little good effect, particularly fines. In regard to the higher branches of the profession, we never think of putting them in practice, they have become a dead letter. For many years there has been no such thing as an attempt made to prevent any man from practising, with the exception of a lawsuit which we had with the University of Glasgow, in which we thought they used us very ill by considering their M.D.'s and C.M.'s entitled to practise as surgeons and pharmaciens without our licence; and we opposed them, but we opposed the gentlemen at that time, not by seeking to enforce fines, but by inhibiting them, or by getting an injunction or order of the Court to prevent them practising, and the issue of the whole was that the university was found not to be right in their view of the law. The case was carried to the House of Lords, and it was settled there in favour of the corporation of the faculty, and all these gentlemen afterwards joined us.

1647. Do you think it for the public convenience that there should be a restriction upon the sale of drugs by persons not duly certified, or not members of the Pharmaceutical Society?—As explained by Mr. Bell, that those people in the country, such as grocers and general shopkeepers, who perhaps are the only people in a small place that could be expected to sell medicines, would not be prevented from doing so, I would say it was right, that generally speaking, there should be some restriction placed upon those people who sell drugs. I certainly think that that is a general rule; but that rule should not, I think, be applied so stringently or so universally as to prevent in difficult circumstances such a thing being done.

1648. How would you draw the line if you are to have a restriction at all?—It would be very difficult; the only way would be that surgical licentiates should be recognised. There must be persons authorised to sell medicines in the smallest districts of the country, and that is one of the reasons why we wish that our licentiates



tiates should be recognised as pharmaciens, if pharmaciens are to be the only people who can be allowed to dispense medicines.

1649. Then you would allow no person to open a druggist's shop who was not a licentiate of some medical college, or of this Pharmaceutical Society?—I would be very much inclined to think so; that would be very much my opinion.

1650. Do you not think that that would lead to inconvenience in remote parts of the country?—I do not think it would, always understanding that in very remote districts where the population is small, other people, such as grocers and general shopkeepers, should be allowed to dispense innocent medicines.

1651. Then grocers and persons of that description could only sell pure drugs; they could not compound medicines?—No; compounding medicines, I think, should lie, generally speaking, with some person of education, more or less; and the idea I have is, that he should be a licentiate of a surgical body, or of one of those medical bodies that we have in Scotland, who examine on everything and require an education in everything, pharmacy as well as surgery.

1652. That power could not be granted in England, owing to the restriction of the Apothecaries Act?—No, it could not.

1653. Therefore, this being a general Bill, your view could not be carried out in the southern division of the kingdom?—No; only we would desiderate that our licentiates should be allowed the privilege of opening a drug shop, if necessary, to enable them to maintain themselves.

1654. *Chairman.*] You mentioned the punishment by inhibition instead of a fine; suppose a party were to refuse to obey when inhibited, what further power have you?—In Scotland, I believe, the court would fine them in that case for contempt of court.

1655. What difference does it make in the stringency of the penalty, whether the fine is imposed by the court in the first instance, or whether the person is first inhibited and then fined?—Not much, certainly, but at the same time it is a much less disagreeable thing. It must be a very flagrant case where such a thing would be done; but it would be a less disagreeable thing to apply for an inhibition or an order of court, requiring a man to desist from such a discharge of the profession, than to apply for a fine to be levied. At all events so it is; we have not found it to answer here, and it has been from time immemorial given up.

1656. *Sir W. G. Craig.*] How do you think the board of examiners should be appointed?—I am very much of Dr. Gairdner's opinion as to that; that whereas in Scotland these bodies, the Royal College of Edinburgh and the Faculty, have long discharged these duties, and, as we think, well, it is a pity that they should be excluded from the direction of that part of the profession which they have exercised for such a long time. My opinion is, that a council made up of members of these three bodies should have the appointment of the examiners; these examiners very probably would contain a portion of druggists and pharmaciens, who would be selected by them as respectable gentlemen fitted to take a part in the examination, and in this way the matter would be done completely.

1657. But if this Pharmaceutical Society is to be established and recognised by Act of Parliament, do you think it reasonable to take the appointment of a board of examiners, the most important part of their functions, entirely out of their hands; would it not be sufficient if the medical colleges of Scotland were represented in that board?—I do not at present perceive any objection, perhaps, to that, only we had the impression that it was removing from us a privilege which we at present possess, and which we conceived we had well fulfilled.

1658. It is a privilege which you possess but have not exercised, and here is a body who come forward in order to perform that duty?—I confess it is very reasonable; but they would find, I apprehend, the assistance of the medical corporations useful and necessary to them at present. They profess to examine upon branches that I apprehend would require much more education than pharmaciens at present have.

1659. *Chairman.*] You have mentioned that it is not desirable, in your opinion, for the pharmaceutical body to follow the example of the society of apothecaries by becoming medical men, and you are rather afraid that this Bill would lead to that?—What I said was, that I would by no means be afraid of their competing. I only look upon it with jealousy, because I think they would grow up to be very powerful opponents to that new reform of our profession of which I am in favour.

1660. Do you think that it is a safeguard that the institution is so strictly pharmaceutical that not even a medical man is admitted to be a member of it, so

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that there can be no mistake about the fact that it is a pharmaceutical and not a medical body, and that as soon as a man becomes a medical man he, *de facto*, is excluded from the corporation which regulates pharmacy. Supposing that to be the case, would not that be a safeguard against the abuse to which you were referring?—Perhaps it might; at the same time we cannot help regarding pharmacy as being a part of the profession, and I believe that if there were any general bill brought forward it must include pharmaciens as well as others; it should be a thing to regulate the whole body of the profession, I think, in all its departments, but I am not prepared to enter into any specification of the details.

1661. You have talked about the Pharmaceutical Society as a new corporation; perhaps you are not aware it was incorporated in 1843?—I am aware of it; but this is giving it a status it had not before, I apprehend.

1662. Do you think the separation of pharmacy from medical practice is desirable?—I certainly think it would be desirable in the great towns.

1663. On the principle of the division of labour?—Yes; wherever it can be accomplished I would say it would be desirable; and I am quite free to say it would be desirable that they should have a good education.

1664. Do you know any means by which a good education could be secured to the body generally, except that of establishing some privilege which they could only enjoy through the medium of an examination, or by inflicting a penalty on those who profess to be what they are not?—With all my aversion to penalties, putting that out of the question, I would say that I could not devise any mode by which the education of chemists could be elevated more than by giving them at least some privileges.

1665. If the privilege given were that of styling themselves pharmaceutical chemists, or any other title implying that they are qualified, would not that be a privilege which would induce persons to come forward and be examined, while at the same time it would not operate to create a monopoly, because other persons might sell drugs who did not call themselves by that name; would not that privilege, do you think, induce people to become qualified?—I do think so.

1666. Do you think it could be properly called a monopoly, when persons who might think proper to perform the functions of a chemist, without assuming the title, were left fully at liberty to do so?—When I speak of a monopoly, I refer to the fact that this board in London is to exercise very large powers, and it certainly will exercise an influence over all the length and breadth of the land, and I think it will constitute a monopoly; it may not be the case, but I am afraid of it. But that they should get an inducement to an education, and to have that education substantiated by an examination, I think is right.

1667. Is there anything else you wish to suggest to the Committee?—No; I concur very much with what Dr. Gairdner has said; I think our business here is to protect the rights of our licentiates, and if they are so completely protected as they would be by Dr. Gairdner's proposed changes in the body of the Bill, I do not see, if the Bill is to be passed at all (and the great objection to the Bill is its being an obstruction to the General Medical Reform Bill), what further objection they could make to it. I dislike fines and penalties; I think they have been very inoperative in our corporation, and they are very disagreeable.

1668. Sir W. G. Craig.] So far as Scotland is concerned you do not object to the restrictive clauses?—No; so far as Scotland is concerned, our licentiates being capable of acting in all ways as pharmaciens, though they may not have the name precisely. I do not think there can be any special objection to it, the licentiate being entitled to practise as a pharmacien in all points like a pharmaceutical druggist; only, of course, he cannot take the name.

1669. But you think the wants of the country would be sufficiently supplied by your licentiates being able to practise also by keeping apothecaries' shops, and by the grocers and other dealers selling simple drugs?—Yes, I think so, in extreme parts of the country.

1670. Do any other points occur to you which you wish to mention to the Committee?—No, I generally concur in those which have been stated.

1671. Chairman.] Do you generally concur in the propriety of the efforts which have been made for the purpose of improving the qualifications of pharmaceutical chemists; and do you think it desirable that they should be better qualified?—I think it is desirable.

1672. Do you know the condition of the body generally throughout the kingdom in regard to qualification?—I know, of course, a good deal about its condition



condition round about Glasgow; and I understand that the drug trade is very well managed in the hands of the licentiates of the several bodies, our own body and the Edinburgh College; and, upon the whole, I never had any reason to suppose there was any want of proper administration of medicines under their hands.

1673. Are there not in Scotland many persons who carry on business as chemists and druggists, who are not educated at all?—I am not aware. We know that there have been a few young men who have acted as chemists and druggists during their education, and who ultimately, as soon as they were ready for it, became members of the medical bodies. I know such people exist, but they are very few in number, as far as I know.

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MEMBERS PRESENT.

Mr. Jacob Bell.  
Mr. Ewart.  
Sir W. G. Craig.

Mr. Hindley.  
Mr. Farrer.

JACOB BELL, Esq., IN THE CHAIR.

Mr. *John Mackay*, called in; and Examined.

1674-5. *Chairman.*] YOU are a Chemist and Druggist residing in Edinburgh?—I am.

*Mr. J. Mackay.*

1676. Have you been a member of the Pharmaceutical Society from the commencement?—I have from the very first.

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1677. Are you secretary of the society in Edinburgh?—I am.

1678. Then you have the management of the local affairs of the society there?—Yes.

1679. In summoning meetings and other proceedings?—Yes.

1680. Have any endcavours been used by the chemists in Scotland to promote the improved education which has been attempted in England?—No efforts have been made beyond a few of the leading druggists having united themselves to the Pharmaccutical Society as members.

1681. Do you remember the draft of a Bill being brought in by the society about two years ago, proposing to improve the qualifications of the pharmaceutical chemists, but excluding Scotland?—I do.

1682. Did that Bill give satisfaction to the chemists in Scotland?—It did not, because Scotland was excluded in the first draft of that Bill.

1683. Did they then express a particular request that if any Bill were introduced, they should be included in it?—They did.

1684. Did they subsequently consider the provisions of the Bill which is now before the House of Commons?—They very fully considered the Bill.

1685. And do they generally approve of it?—They have no objection whatever to it now; the great objection which they had was to the clause excluding Scotland from having a Board of examination, and thus centralizing the whole examination in London; but when that clause was altered, so as to give power to an examining Board of the Society in Edinburgh, their chief if not entire objection was removed.

1686. Would there be any objection to the examining Board sitting occasionally at Glasgow, do you think?—I think not, if it could be so arranged.

1687. The words stated in the clause are: "The council are hereby required to appoint such fit and proper persons in Scotland to meet in Edinburgh, and to conduct there all such examinations as are provided for and contemplated by this Act," &c.; would there be any objection to insert "Glasgow or such other place or places as the council may think desirable"?—There would be a decided objection to that, but there would be none, I think, to an arrangement by which the Board might be removed for a time to Glasgow, Aberdeen, &c. &c., so as to prevent the inconvenience of parties coming from those various towns to Edinburgh to be examined. I certainly think there should not be a different Board to sit in Glasgow or Aberdeen, or any other large town, but that the Board in Edinburgh should be invested with such power as would enable them to sit at different places according to circumstances.

1688. Do you think, from your knowledge of the chemists and druggists in Scotland, that there is any necessity for improvement in their education?—Very great indeed.

Mr. J. Mackay.

1689. You were present when the evidence was given yesterday?—Yes.

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1690. You heard the proposition to place the chemists and druggists under a Board of Examiners, to be appointed by the medical bodies of Glasgow and Edinburgh, do you think the chemists would object to that?—Most decidedly; it never would be entertained for a moment. I believe that if such a provision were put into this Bill or any other, there would be petitions from every druggist in Scotland against it. There would be a decided objection to it.

1691. Would that objection arise from a desire on the part of the chemists to be a separate body; there is, I presume, no jealousy or bad feeling between the two bodies of medical men and the chemists in Edinburgh?—The very opposite; there is no bad feeling; but the chemists and druggists have a desire to be a separate and independent body, believing that they are quite capable, under certain supervision, to govern themselves.

1692. Would they object, for example, to any medical man attending as the representative of these medical corporations, to see how the examinations were conducted?—Far from it; the probability, or the certainty I may say, is, that the examining board would contain one or two medical gentlemen as examiners, and whether they did or not, they would at all events invite some medical man as a matter of courtesy, to see that the examinations were well conducted; there would be no objection to medical gentlemen being present, provided they were asked to be so by the examiners or members.

1693. Sir W. G. Craig.] Would you object to the medical colleges nominating their own representatives on the Board of Examiners?—Most decidedly.

1694. What objection could there be to it?—The simple objection that we, as a body, think we are fully as well able to judge who are the medical gentlemen best fitted to be examiners, as medical bodies themselves.

1695. But if the medical bodies were willing to co-operate with you in carrying out the objects of this Bill, you could have no good reason for objecting to that?—The only reason we have for objecting to it is, that we are about to establish ourselves into an independent body; and we think the admission of such a power would have a tendency to mix up the trade of a chemist with the profession of a medical practitioner.

1696. Mr. Hindley.] You are aware that the Royal College of Surgeons are by charter empowered to examine in pharmacy?—I am quite aware of that; but we do not think the College of Surgeons, although possessing that power, goes sufficiently far in pharmacy to make them the proper parties to examine chemists and druggists.

1697-8. Sir W. G. Craig.] That objection would be removed if these bodies were merely to send representatives to assist the chemists at their examination. The chemists and druggists might then push their examination as far as they pleased, and they would have only the advantage of the presence of one of superior education and more general information to aid them in their work?—But I cannot conceive why the College of Surgeons should have the least objection to allow us, as a body of independent men, to have the power of self-government; they ask us to allow them to send certain representatives, while we intend to invite certain members of their body to attend. I think it would not be ceding to us too much, considering the exertions we have been making to raise ourselves by a good system of education, if we were allowed to summon such persons as we think ought to be present.

1699. What bad effect could a Board composed in the manner the College of Surgeons proposes have?—It would be giving the College of Surgeons a certain power which we think they should not have; we think they should allow us to govern ourselves under a healthy supervision, as an independent body, without their interference and if they send certain gentlemen to represent them, that would not be giving us the power to which we consider we are fully entitled.

1700. But as you are encroaching on the privileges of these colleges at present, unless you can state some decided objection to their being represented at the Board which it is proposed to establish, their exclusion is rather a matter of jealousy than anything else, is it not?—I think not; considering the number of years the colleges have held the power they possess, and looking at the small amount of good derived under that power, they can scarcely claim that they have exercised the privilege which I believe their charter gives them; they have not exercised it in the way they might have done, inasmuch as they have never examined chemists and druggists in Edinburgh, either in chemistry or pharmacy; and



and except in one or two cases, I do not know that they have even taken the slightest interest in the education of chemists and druggists.

1701. Mr. *Ewart*.] Has the College of Surgeons a system of self-government among themselves?—Undoubtedly they have.

1702. Has the College of Physicians a system of self-government among themselves?—They have.

1703. And you think in the same manner that you would best conduct your business by a system of self-government?—Certainly.

1704. But you would not object to superadd such an investigation on the part of the other two bodies as would lighten your own, and not infringe on the principle of self-government?—No.

1705. *Chairman*.] Then your objection has reference to the possibility of confusion and misunderstanding, arising from dividing the jurisdiction?—This is a principal objection.

1706. Mr. *Ewart*.] You think the division of labour is a sound principle to carry out in the different departments of your science?—Yes, I do indeed.

1707. Sir *W. G. Craig*.] Is that opinion general among the chemists in Edinburgh?—It is quite general; I may mention that there are in Edinburgh several chemists, who are very well educated men, though there are a great many parties in business who are not nearly so well educated, but with reference to the class immediately beneath the masters, namely, the assistants and apprentices, the want of education is to a very great extent quite apparent; and, perhaps, I cannot give the Committee a better example of what I mean than by stating, that supposing I were in want of a thoroughly qualified assistant, and I were to advertize in the public newspapers, which would be the proper and almost the only mode of getting applications, I might have 20 or 30 letters; and yet I would have the greatest difficulty in selecting a suitable person in whom I could place entire confidence, and with whom I could leave my business during my temporary absence.

1708. Mr. *Ewart*.] Have you ever had an opportunity of ascertaining the state of education among the same parties abroad?—I have seen in the medical journals from time to time the state of our own trade on the Continent, and the comparison is certainly a very humbling one.

1709. Do you think that the assistants in the shops of chemists and druggists in Scotland are not so well educated as they are on the Continent?—By no means so well educated.

1710. *Chairman*.] Are there not some men acting as chemists and druggists in Scotland who, after having obtained their degrees as general practitioners from the Faculty of Physicians and Surgeons of Glasgow, and from the College of Surgeons of Edinburgh, have sunk the profession in the trade?—There is, I believe, in Edinburgh one case of a party holding a diploma from the Faculty of Physicians and Surgeons of Glasgow, and probably there are 10 or 12 persons holding diplomas in the way you mention from the College of Surgeons, and acting as dispensing chemists.

1711. Do you understand that it is the intention of this Bill to interfere at all with the privilege which is now enjoyed by these two bodies, or would their privileges be left intact?—Quite untouched.

1712. They would retain their privileges to as full an extent as they do now?—Thoroughly so.

1713. Then in addition this Bill would simply recognize a separate class, examined under a different jurisdiction?—Precisely.

1714. Do you remember the circumstances which led to the formation of the Pharmaceutical Society; the correspondence which took place among the chemists and druggists throughout the kingdom, under the impression that they were about to be placed under the jurisdiction of a medical body?—I recollect it perfectly well.

1715. Was it their impression that they should lose their independence as a body by being placed under extraneous control, and was that a very material source of objection?—It was.

1716. Did the chemists unanimously resist that attempt?—They did.

1717. And opposed it by petition and otherwise?—I cannot recollect at this moment whether they petitioned against it or not; but that they did oppose it by meeting together I have a distinct recollection. The opposition was manifested early in 1841, upon a medical Bill being introduced by Mr. Hawes, Mr. Ewart, and others, giving the supervision of chemists to medical practitioners.

1718. Did the chemists in Scotland at that time take an active part in reference

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to the society, or was there only a limited number who joined at that time?—A very limited number indeed; to the extent probably of 10.

1719. Did a fresh impetus occur among the chemists in Scotland in consequence of the original draft of the Bill excluding Scotland from its operation?—The draft of the Pharmacy Bill about two years ago did give rise to much anxiety on the part of the chemists in Edinburgh.

1720. And did they then meet together, and consider the propriety of taking steps for carrying on the system in Scotland among themselves as a part of the Pharmaceutical Society?—Yes, they did.

1721. Did a considerable number join the Pharmaceutical Society in consequence of that movement?—A considerable number, and from recollection I could name them pretty well; I have named the number who joined in 1841; and since this Bill has been mooted, and the chemists and druggists have had their attention directed to the Bill, so many have joined us, that we now number, by examination and otherwise, 66 members of the Pharmaceutical Society in Scotland, 40 associates, and from 12 to 14 apprentices; the inducement with nearly all of them being the prospect of this Bill becoming the law of the land, and in that way raising them to something like an independent status.

1722. Do you think the prospect of this Bill passing has caused apprentices to be more attentive to the study of their profession than they otherwise would have been?—I do.

1723. Are they inquiring what books they ought to read, and showing a disposition to study?—They are; and from nearly all parts of Scotland the question seems to be taken up; we have had communications from parties as far off as the Shetlands, from the West Highlands, and communications from various parts of Scotland to the number of from 40 to 50.

1724. Have you had communications with some of the educational institutions in Edinburgh with a view of arranging for the students of the Pharmaceutical Society to attend lectures, in the event of this Bill making education compulsory or necessary?—Yes, we have had one interview with the professor of botany, and are in hopes that some arrangement may be made by which those connected with the Pharmaceutical Society may be admitted to the botanical lectures.

1725. And do you think it probable that in the event of this Bill passing you might arrange for the students in Edinburgh to have a good opportunity of obtaining an education?—Yes, I do.

1726. Without establishing a separate school?—Without establishing a separate school.

1727. By the adaptation of the lectures in such a manner as to suit the requirements of the chemists?—We look forward to that as to a certainty.

1728. Do you consider from what you know at present that the lectures which are now delivered are exactly suited to the chemist?—Yes, exactly.

1729. Are they not too medical in some respects; do they not embrace too many medical subjects, and so require a little classification to suit the chemists?—The only class I know coming under that objection is *materia medica*. I do not think botany or chemistry, as at present taught in the schools of Edinburgh, are subject to any objection; *materia medica* perhaps is; but I think some arrangement might be made by which the students of the Pharmaceutical Society might be admitted to that part of the course of *materia medica*, which more particularly affects them as pharmaceutical chemists.

1730. Then in chemistry and botany there are already great facilities for the education of apprentices and assistants?—Yes.

1731. But have these facilities been taken advantage of to any extent by the pharmaceutical chemists?—Up to the present time they have not.

1732. Do you attribute that to the fact, that no education is required by law?—I do.

1733. Then I may gather from what you have stated, that it is your opinion that this Bill would be the means of sending the apprentices and assistants to the schools where they could get instruction, and that it would be the means of inducing them to improve themselves, so as to remove the evil you have already mentioned, with reference to the difficulty of obtaining qualified assistants?—I am quite satisfied of that.

1734. Do you know anything of the state of pharmacy in the villages and small towns of Scotland? Do you think the provisions of this Bill would operate injuriously in those places?—I do not think so; I do not know the state of the chemists and druggists in many of the small villages; I have an acquaintance with

a few



a few, and, as far as I can judge, I do not think the provisions of the Bill would interfere with the present system of vending medicine in such places.

1735. Are there persons in some of the small villages who sell everything, drugs included ; who are general shopkeepers ?—Not unless it be grocers, and a few who act as stationers, booksellers, and druggists.

1736. Do the apothecaries, that is the medical practitioners in the small villages, sell the drugs in some cases ?—Most of them, if they have not open shops, have small surgeries by which they are enabled to supply all the wants of their patients.

1737. Mr. *Farrer*.] Do any chemists and druggists in small places act as surgeons ?—Not any, unless qualified by diploma, while the more respectable practitioners have small surgeries attached to their dwelling-houses, from which they send out medicines to their patients.

1738. Do you mean to imply that they act as surgeons ?—They practise as surgeons, and on coming home send out their own medicines ; but that practice is falling much into disuse, and I do not think that any medical man would keep up his own surgery if he had a properly educated pharmaceutical chemist near, to whom he could apply to prepare the medicines he prescribed, and thus save himself the trouble and labour of compounding. The medical men are driven to do it themselves, in consequence of the absence of parties capable of compounding their prescriptions.

1739. Mr. *Ewart*.] The persons you have spoken of are surgeons who act as chemists, and not chemists who act as surgeons ?—Entirely ; I am not aware of any chemist acting as a surgeon, and making medical visits.

1740. *Chairman*.] Is there a disposition in Scotland to separate pharmacy from the practice of medicine ?—There is.

1741. Have you in Edinburgh and Glasgow general practitioners as the rule, or are they only the exception ? By general practitioners I mean medical men who prepare their own medicines ?—There are a few who do so, and it is the exception.

1742. Do chemists practice medicine to a great extent across the counter ?—No, they do not.

1743. Do they occasionally give a simple remedy for a trifling disorder ?—They do.

1744. Does that occur to such an extent as to excite the jealousy of the medical men ?—Quite the contrary ; whenever there is an application made to a respectable chemist in anything beyond a trifling case of dyspepsia, a slight cough, or deranged stomach, instead of prescribing, they at once recommend a medical gentleman, and say “ You had better go to Dr. So-and-so.”

1745. Whenever they do prescribe at all, it is a matter of necessity, and not from inclination ?—Entirely so ; they never lay themselves out for consultation or advice, and they prescribe in such cases only as those in which the party would never think of applying to a medical man, but would rather venture to say, in event of the druggist refusing, “ Give me a mixture containing ipecacuanha,” or name some other medicine they conceived suitable for their complaint.

1746. In short, they do it only in cases in which if the chemist did not prescribe the patient would prescribe for himself ?—Exactly.

1747. Is that carried on to the greatest extent by those chemists who are the best educated, or by those who have the least pretension to qualification ?—Certainly by those who are the most uneducated and in small businesses ; such parties are glad to increase their business, and, not fearing the responsibility, hesitate not to prescribe in cases in which an educated chemist would not prescribe.

1748. Would an educated chemist feel a responsibility attached to prescribing which is not felt by the others ?—Yes, he would.

1749. Do you think that an improved education in pharmacy and chemistry would tend to check the encroachments of chemists on medical men ?—I believe it would.

1750. Have any complaints been made by the medical profession of such encroachments taking place in Scotland, so far as you know ?—I cannot at this moment recollect any particular instance of it, but I believe that such objections may have been made in one or two isolated cases.

1751. Do you think the chemists in Scotland generally as a body are capable of examining the quality of the drugs which they sell ?—Many are capable of doing so, but not generally at the present time.

1752. In those cases in which men have risen to any eminence as pharmaceutical

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ceutical chemists, has that resulted altogether from their own voluntary and private exertions? You say there are men in Edinburgh who are highly qualified. Have they passed any examination in general?—Certainly not an examination; but I believe they have taken advantage of the opportunity of attending classes probably of materia medica, chemistry, and botany.

1753. But do you think that is done to a very limited extent?—Very.

1754. Do you consider that this Bill creates a monopoly which would be at all injurious to the profession or to the public?—I do not; I cannot see the slightest attempt at creating a monopoly in the Bill.

1755. Do you think it would interfere with the existing privileges of any medical body, at present having the power of examining in the various branches of education, including pharmacy?—I do not.

1756. Would it be the means of preventing the public in small villages from obtaining such medicines as they may require?—Certainly not.

1757. In what manner would they obtain them, supposing this Bill were to pass? From what parties?—From the very parties who are at present supplying them, unless this Bill should be the means of inducing some regularly qualified pharmaceutical chemist to go to such village; but in his absence, whoever has been in the habit of supplying small quantities of jalap, soda, senna, and so on, would supply them still.

1758. Then would the only parties who could be injured by such a Bill be the individuals who are now carrying on a kind of irregular trade in drugs, without possessing the qualification?—Yes; those are the parties.

1759. The injury would not extend to the public at large?—It would not.

1760. You heard the examination yesterday; is there any part of the opinions then expressed in which you particularly disagree, or on which you wish to make any remark? Objections were raised to the Bill on some grounds; do you agree or disagree with them?—I certainly disagree in the whole of the objections raised, and in one especially, where it was proposed that a certain number of physicians should go and examine into the state of the drugs in chemists' shops. I also disagree especially in that part of the evidence in which it was stated that there was no need of increased education among chemists and druggists in Scotland as a body.

1761. Do you think that if the chemists were properly educated, as they would be under the provisions of such a Bill as this, they would be the most qualified persons to examine the drugs?—I do, most certainly.

1762. Do you think, admitting that some reform is required, the mere examination of the drugs would be sufficient to ensure the proper qualification of the chemists, and a reform of the abuses now existing?—A mere examination of the drugs certainly would not.

1763. But would the examination of the chemist himself have more effect in that respect?—Most certainly; it would qualify the parties undergoing the examination to know a genuine from a bad drug; and it would also enable him to test various adulterations in many preparations which a retail chemist, or a pharmaceutical chemist, is always buying, and indeed is obliged to buy, as he has neither time nor opportunity to manufacture them; things which at the present time are almost, if not entirely overlooked.

1764. Do you think the examination would tend to promote industry and education in the young men in anticipation of it, and that that would be one of its chief advantages?—Yes, I do.

1765. Does any other fact occur to you which is important in the consideration of this Bill?—There is only one other thing that occurs to me, and I may mention it, in reference to the town of Dundee. I recollect, in the year 1838, being strongly advised to go across to that town in consequence of there being great difficulty in getting genuine medicines there. I accordingly went and found that nearly every medical practitioner who had not an open shop kept a large surgery; and I heard on every side the explanation, that they were driven to do so, as there was at that time a great want of chemists and druggists in the town. I have continued to visit this place, more or less, ever since, and have found the medical men, as a rule, have at the present time abandoned altogether their system of compounding pills and other preparations, being too glad to get quit of this labour, and employing the pharmaceutical chemists to do this work for them. There are several clever dispensing chemists in that town at the present time, and



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and I mention this to show the Committee the general desire there is upon the part of the general medical practitioner to throw compounding into the hands of properly qualified parties, instead of spending their own time in such a manner. I believe the same thing would apply to other towns in Scotland.

1766. Is there not an association of pharmaceutical chemists at Aberdeen?—There is a local club of pharmaceutical chemists there.

1767. In what manner are they educated in Aberdeen; is there any more attention paid to their education there than there is in Edinburgh or Glasgow?—I apprehend there is, though I have no certain means of knowing. I know this club has existed for many years, probably for 10 years; they meet every six weeks, or every month; they have a library, and an annual meeting, I believe, and are in every sense of the word a club of druggists. But I am not aware that a similar thing exists throughout Scotland; I think Aberdeen is the only place where such a club exists.

1768. Have you ever had such an arrangement in Edinburgh until lately?—We never have had any meetings until within the last two years.

1769. Is it now in contemplation to establish an effective branch of the Pharmaceutical Society, comprising a laboratory, a museum, and other appliances to assist in education?—Yes, such is the intention, and several of the first steps have already been taken; cases have been purchased. We have fifty specimens for the museum, which we expect to be increased. A library also is in contemplation, and we look forward to having rooms of our own, where we shall hold meetings at stated times for scientific purposes.

1770. At these meetings will medical men be invited to attend to assist in the discussions?—Yes, in all probability they will.

1771. Is the object of these proceedings that of promoting education and the advancement of science?—Yes; and for cultivating a better feeling among the druggists themselves than has hitherto existed in Edinburgh.

1772. Do you think that that kind of jealousy which sometimes exists between persons in the same trade, has diminished since you have associated together with a view to improvement?—Decidedly so.

1773. You are on better terms than you were before?—Much better.

1774. Is it your opinion that the chemists are so sincere and earnest in their desire for improvement, that this society is likely to be a permanent institution, if sanctioned by means of this Bill?—Judging from the manner in which it has been taken up, I certainly do.

1775. Do you think that in case a Bill of this description were not to pass, and that it were to be decided that no law whatever was to be passed on the subject, that would act as a discouragement to further exertions?—I am satisfied it would very materially so.

1776. May we understand that you are speaking the sentiments generally of the chemists in Scotland, so far as you know them, from considerable intercourse with them, when you say they are desirous of this Bill being passed?—Yes; so far as I know, judging from the conversations I have had with them, the various meetings I have attended, and what I have heard on the subject.

1777. Have you heard of any objection?—No; I have never heard an objection made to the Bill since it appeared in its altered and modified form. I refer to the establishment of the Board in Scotland, not centralizing the whole in London.

1778. Do you think that the union of Scotland with England, in reference to the proceedings under this Bill, will tend to produce a good feeling between the two?—Yes, I do think so.

1779. I dare say you have heard of various jealousies and disputes between the medical bodies, in the two parts of the kingdom?—I have.

1780. Has it been the desire of the Pharmaceutical Society so to amalgamate the two branches of the society, as to avoid any jealousy of that kind?—That certainly has been the desire of the society.

1781. So that the Scotch and English might pull together in the cause of improvement?—Yes.

1782. And do you see a prospect of success in that endeavour?—Yes, I do, especially if this Pharmacy Bill is passed; if it does not pass, I am satisfied that a certain amount of interest at present shown will cease; but even should it not pass, there has been such an anxiety shown that good cannot but come of it.

1783. You have had a little experience of the difficulty of keeping up an  
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interest in any society for any length of time, I suppose; there is a disposition to flag every now and then?—Yes, there is.

1784. And you think some stimulus of this kind is desirable for maintaining its activity and prosperity?—I do; I think it is the very thing that is wanted; with it I think we shall go on in a very flourishing manner, but without it I fear we shall droop and flag to a very great extent.

1785. Mr. *Ewart*.] Has the character of the drugs used by chemists improved of late years?—Yes.

1786. Have we derived advantage from our communication with pharmacutists in foreign countries?—Yes.

1787. Which country do you consider has produced the first pharmaceutical chemists that we have now; a great many discoveries have been made by the French, and some by the Germans, have they not?—Yes, both of them have made some very remarkable discoveries, but that is a thing which we never can hope to do at present.

1788. Not until our education is improved?—Precisely. The moment it is made to a certain extent compulsory, we look forward to chemists and druggists in this country taking their proper position as compared with pharmaciens abroad.

1789. Have you ever compared the foreign pharmacopœias with ours?—Not beyond remarking some of their formula.

1790. Is there any leading distinction between the two that you ever noticed? In some instances, the ingredients are more numerous than in our own recipes for tinctures and other preparations; but the result in numerous cases is much the same when prescribed by the surgeon or physician.

1791. Are their medicines stronger or weaker than ours?—I think much the same.

*Douglas Maclagan*, M.D., F.R.S.E., called in; and Examined.

*D. Maclagan*, M.D.,  
F. R. S. E.

1792. *Chairman*.] I BELIEVE you are a Medical Practitioner?—I am. I am a Physician, though a Fellow of the College of Surgeons; we combine both in Edinburgh.

1793. And you are a lecturer on materia medica?—Yes.

1794. Where?—In the Extra-Academical School of Edinburgh.

1795. Have you been many years engaged in lecturing?—I think it was in the year 1839 that I first lectured; 13 years ago.

1796. Your pupils, I presume, are chiefly medical students?—Chiefly, but not all.

1797. Have you ever had pupils from the chemists and druggists?—I have.

1798. I believe you heard the evidence yesterday?—I did.

1799. Do you agree with the opinions which were then expressed respecting the condition of the chemists and druggists, with regard to qualification?—I do not at all agree with the general tone of the evidence given yesterday.

1800. Do you think the chemists and druggists are not sufficiently educated, taking them as a body?—Very decidedly so.

1801. Have you turned your attention to the subject, so as to have the means of forming a judgment upon it?—Yes, I think I have had very fair means of forming a judgment on the matter.

1802. Have you attended to it for some time past?—For some time past.

1803. And have you ever made any propositions on the subject?—I have expressed my sentiments on the subject in print.

1804. Could you refer to any instance?—Yes, I could read to the Committee sentiments expressed by myself on the subject.

1805. On what occasion?—On the occasion of writing an article in one of the medical journals in 1839.

1806. Will you favour the Committee with the substance of what you expressed on the subject upon that occasion?—The subject that I was alluding to in writing here, was an object that I had often thought a desirable one; having a national pharmacopœia instead of one for each of the three divisions of the United Kingdom. I was pointing out the propriety, as I thought, of accomplishing it, and it was in relation to that that I made the following observations which, with your permission, I will read to the Committee. I was referring to the advantage that might be derived from the assistance of the practical pharmaceutical chemists and druggists being given to the Colleges of Physicians, whose function it is to prepare the



the pharmacopœias, and expressing a hope that a better work would result from their combined efforts. The following is what I have written:—"But before we can hope for much aid from this quarter, we must have a higher standard of qualification for those who are engaged in the practice of pharmacy. This is to be obtained only by obliging all those who intend to follow this occupation to go through a prescribed course of education, and to undergo a regular examination before a competent board, in order to obtain a license to act as chemists and druggists." . . . . "An objection very likely to be urged is, that under the present system we have plenty of good apothecaries" (I use the word "apothecaries" here in the sense of pharmaceutical chemists, not in the sense in which that word is used in England), "who can perform the processes of the pharmacopœia successfully, and make up our prescription well and accurately. To the truth of this we at once subscribe, but we are not satisfied with so meagre an amount of usefulness. We wish our chemists and druggists to be able, not only to follow, but to forward the art of pharmacy; not to serve the physician, but to co-operate with him; not to be merely merchants trading in medicinal substances, or artisans engaged in preparing them, but to take their place as members of a distinct and most important division of the medical profession. It is, we believe, to the want of a proper standard of qualification in our apothecaries that we must, in a great measure, attribute the smallness of the amount of pharmaceutical invention or discovery which has emanated from Great Britain. Compare the state of matters here with what obtains on the Continent. Here any one may set himself up as a chemist and druggist who has funds to provide himself with a shop and stock of medicines, no matter how destitute he may be of any thorough knowledge of the sciences which bear upon his occupation; no matter how small may be his acquaintance with the language and meaning of physicians' prescriptions." Then follows a short statement of the state of education in France, and then the following occurs. "Now the result of this system has been, that, on the Continent, pharmacy has made rapid advances, whilst comparatively little has been done for it in Britain. The most interesting discoveries, and the most important improvements in this department, have been imported to us from abroad. There are two excellent Continental journals, the *Journal de Pharmacie*, and the *Annalen der Pharmacie*, the chief contributors to which are derived from the class of pharmaciens with which we have nothing at all in the department of pharmacy to compare; and we search in vain among our pharmaceutists for names as distinguished in science as those of Sertuerner, Buchner, Robiquet, Pelletier, Guibourt, &c. We hope, however, that this important subject will ere long attract the attention of the Legislature, and that we shall soon have our chemists and druggists as regularly taught, examined, and licensed as our physicians, surgeons, and general practitioners."

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1807. That was your opinion in what year?—1839.

1808. Had you previously to that considered the subject at all?—I had been considering the subject since I was a student, because I intended to lecture on materia medica; and therefore all the subjects connected with it were always forcing themselves on my attention.

1809. Have you reason to believe that the subject has been entertained by the medical corporations of Edinburgh and Glasgow in reference to Mr. Warburton's inquiry?—Yes, I have reason to believe that that was the case, though I cannot speak officially of the matter, not having been mixed up with that inquiry.

1810. Have you reason to believe that some evidence was given on the subject, which evidence was burnt at the fire of the House of Commons?—I am not sure whether what I am going to mention to the Committee was given in evidence, but I know at least that it was entertained and talked of among Fellows of the Colleges of Physicians and Surgeons and the representatives of the University of Edinburgh, conferring together in 1834. I know it was talked of, and that it was under discussion; to that extent I can speak.

1811. Was any proposition reduced to a tangible form on this subject?—I find that that was the case.

1812. Could you state what the nature of that proposition was?—I may state that, in searching for another purpose through some papers connected with this subject, in the possession of my father, who was one of the witnesses examined before Mr. Warburton's Committee, I found a document which shows that this subject was under consideration at the conference to which I have alluded.

1813. In what year was that?—In 1834.

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1814. Will

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1814. Will you read to the Committee that portion which relates to chemists and druggists?—Yes.

1815. What is the title of the document?—"Propositions agreed on by the Medical and Surgical Professors in the University, the Royal College of Physicians, and the Royal College of Surgeons of Edinburgh. March, 1834."

1816. That is the title of the document?—Yes.

1817. We have nothing to do with that part of it which relates to the medical profession, but will you state what was the idea entertained on the subject of chemists and druggists?—I find at the end there is a section "Of chemists and druggists" (these are in the form of resolutions). "That provision should be made in regard to chemists and druggists, for their being found sufficiently qualified to compound, prepare, and dispense medicines; and that no person ought to obtain licences to act as such, who have not, firstly, attended at least one full course of lectures on chemistry, botany, materia medica, and pharmacy, by recognised teachers; secondly, been employed for two years in compounding and preparing medicines, under a licensed general practitioner, or licensed chemist; and thirdly, given proof of having had opportunity to acquire a competent knowledge of the Latin language. That previously to obtaining such licences, the candidates should undergo an examination on chemistry, botany, materia medica, and pharmacy, and as to their knowledge of the Latin language. That those persons only who have gone through the specified education, and passed this examination, should be entitled to the name of licensed or approved chemists or druggists, or to such other designation as may imply their qualifications; but that the licence granted to them should infer no right to exercise the duties of general practitioners."

1818. Do you consider that the principle of those resolutions is almost identical with the principle of this Bill?—It appears to me to be the very principle embodied in the Bill.

1819. And that principle was under discussion between the bodies you have named as early as 1834?—It is obvious that it must have been so from that document.

1820. Did you receive that document direct from your father?—I did.

1821. Do you recognise it by the handwriting?—I cannot recognise that portion of the handwriting, but I see a part at the end is in the handwriting of the late Mr. Small, a clerk in the University, and a docket at the back is by Professor William Thomson, of Glasgow, who had something to do with the conference at that time. I beg it to be understood that what I say is, that I see from that document that the thing was under consideration at that time.

1822. *Sir W. G. Craig.*] You are not aware whether these propositions were actually agreed on by the different bodies or not?—No, I do not know; the document only shows that the subject was under discussion.

1823. *Chairman.*] And the proposition which was then under discussion was similar in principle to that which is now put into the form of a Bill?—Certainly.

1824. You have said you have reason to believe there is a great deficiency of education among the body of persons in Scotland assuming the name of chemists and druggists?—Yes.

1825. Have you had means of ascertaining that, from occasionally calling at the shops of different persons and communicating with them?—Yes; from my intercourse with them generally, I think I have been able to form some definite opinion upon the subject.

1826. Do you think that a considerable desire exists among them to obtain some improvement?—Of that I am quite certain; as regards the chemists and druggists in Edinburgh, at all events.

1827. Then do you think the blame rests on the chemists and druggists, or on the laws, which have allowed these abuses to prevail without any interference?—I should say rather from the absence of law; want of regulation.

1828. Has there hitherto been recognised any specific kind of education which chemists and druggists ought to pass through?—No; there is no law on the subject.

1829. You know many chemists and druggists, or a certain number, who are highly qualified, I presume?—Certainly; as regards the dispensing of medicine.

1830. And as manufacturing chemists?—Some of them as manufacturing chemists too.

1831. Do you agree as to the propriety and public advantage of passing a Bill of this description?—I do; I think there is a great call for it.

1832. Do



1832. Do you consider that it establishes a monopoly in the extreme sense of the word?—I certainly cannot see that it establishes a monopoly at all.

1833. You heard it stated yesterday that the Bill was considered by two corporate bodies to be injurious to their interests?—Yes.

1834. Do you think that those objections were well founded?—I cannot answer for the Faculty of Physicians and Surgeons of Glasgow. I do not believe, so far as I can learn, that it does interfere with them; and my opinion is that it does not interfere injuriously with the privileges of the body to which I belong, the College of Surgeons. I differ entirely from my friends who were examined before the Committee yesterday upon that subject.

1835. Has any discussion taken place in that body on the subject of the Bill?—There was a discussion in the college on the subject.

1836. I do not ask for any information which is confidential, but if you feel justified in stating what passed, will you tell us whether you argued in favour of the Bill?—I did.

1837. Sir *W. G. Craig*.] Did you receive much support?—No, not a great deal of support; I was beaten by a large majority; I divided the college on the subject.

1838. Can you state how many members agreed with you in opinion?—It was a small meeting of the college; there were 15 who voted against my proposition to petition in favour of the Bill, and five who voted for it.

1839. *Chairman*.] Were the grounds of objection similar to those we heard yesterday?—I think, so far as I remember the argument, that it was very much the same as that which was addressed to the Committee.

1840. You heard of several proposed amendments in the Bill which had been assented to; would those amendments, in your opinion, meet the objections of the parties who were present at the discussion?—I think some of them.

1841. I allude first of all to proxy voting?—That was part of the discussion in the College of Surgeons; it was one of the objections taken, I think.

1842. With respect to the appointment of the Board of Examiners, do you consider that the board ought to be appointed by the body which is incorporated under Royal Charter, confining it to pharmaceutical chemists, or do you think that it ought to be appointed by a distinct body which has nothing to do with pharmaceutical chemists?—I think it is of great consequence that, however they are appointed, there should be nothing to mix up the pharmaceutical chemists as a corporation with the medical corporations, and therefore that they should be kept as much distinct as possible.

1843. Under separate jurisdictions?—Under separate jurisdictions.

1844. Do you think that some confusion and inconvenience arises from the mixture of the two functions now in practice?—To a certain extent; the public are very apt to suppose that a person who has a druggist's shop is a doctor; it is a very common thing to call a druggist "doctor" when he is not so.

1845. Do you think that that impression is rather increased by the fact, that some medical practitioners keep shops which look exactly like chemists' shops?—I presume that that is the origin of it; they do not know the distinction between the one and the other.

1846. And a person going one day into a doctor's shop, and finding a doctor in it, goes to another shop another day which has only a chemist in it?—Yes, and fancies they are both equally doctors; they do not pay attention to the word "surgeon" above the door, which may distinguish one from the other.

1847. But in the event of a medical practitioner calling himself a chemist, would there be any distinction whatever which would enable the public to know whether they were in a doctor's shop or not?—I think if the same name is used by both, and no other indication separates the one from the other, the public will not distinguish betwixt them.

1848. At present the College of Surgeons have the privilege of examining in pharmacy as well as in surgery?—They examine the candidates for the surgical diploma upon pharmacy.

1849. Do some of their licentiates go into business as chemists and druggists?—A considerable number of their licentiates keep shops; and some of the chemists and druggists of Scotland are licentiates of the college, not practising as surgeons, but acting as chemists and druggists.

1850. Then if the privilege of examining in pharmacy, and of licensing persons



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who could go into business as chemists and druggists, were continued to the college, with the privilege to their licentiates of calling themselves chemists and druggists, could this Bill infringe in any way upon their privileges?—I cannot see that it does infringe upon their privileges at all.

1851. Would not the effect of this Bill be rather to create a demand for education, and possibly to induce some persons to go to the College of Surgeons for examination who otherwise might undergo no examination at all?—I do not see that exactly.

1852. Would they not have the privilege of granting a diploma for persons following the business of a chemist and druggist equally with the Pharmaceutical Society?—Certainly; that is to say, their licentiates would have the privilege they have at this moment.

1853. Consequently a student might either go to the College of Surgeons or to the Pharmaceutical Society to obtain the qualification of acting as a chemist and druggist?—Yes; but I think he would not go to the Society after taking the more expensive education to qualify him for a surgeon.

1854. Is it not possible that if a law is introduced obliging persons to go through some education, some students might say that as they are obliged to be examined, they will go to the College of Surgeons and obtain the higher qualification?—That is possible.

1855. But at all events it would not diminish the number of their students?—I should not think so.

1856. Mr. *Hindley*.] Do you think there is anything in this Bill which would prevent any of the surgeons from acting as chemists and druggists?—Certainly not.

1857. Sir *W. G. Craig*.] From the tenor of your evidence you are clearly of opinion, that if there is any doubt upon that subject it ought to be cleared away?—I am quite clear about that.

1858. And that the Bill should be made so that the licentiates of the Royal College should be entitled to act as chemists and druggists?—Certainly; I would have an Act of Parliament to be as unambiguous as possible.

1859. And is it your opinion that there is no objection to licentiates acting in that capacity?—Certainly.

1860. What objection do you think there would be to members of these medical bodies being upon the Board of Examiners?—I do not object to that in the least degree; on the contrary, I think there are many reasons for it; but I think there is no reason why the body of pharmaceutical chemists should not have the selection of their own examiners, as I think they are the most likely to know who would be the most appropriate additions to the Board; and I think the objection to making us medical corporations interfere with them is, that it is mixing up the two together, and not keeping them so distinct as it is desirable they should be.

1861. But these medical bodies have a great interest in these examinations being properly conducted; and if they, being men of superior acquirements, desire that they should be represented in the board which it is proposed to establish, what is the objection to it?—I have no doubt that the colleges are well qualified, of course, to select fit persons to examine in any particular department; but my objection to the election of the examiners for the Pharmaceutical Board being in the hands of the colleges is, that it is mixing up the two bodies together. The body of pharmaceutical chemists I wish to keep distinct from the medical practitioners altogether; it would be better if the pharmaceutical chemists would apply to the colleges for the services of their fellows, or to persons distinguished in science, not members of the colleges.

1862. What objection is there to mixing up these two bodies, to the extent of conjoining the examination?—I think that, in the first place, it is important to keep the chemists and druggists distinct from the medical corporations, because by so doing you obviate an objection that has been raised to the incorporation of the chemists and druggists, namely, that you are increasing the number of medical corporations. Now if you keep them distinct you do not interfere with the corporations of practitioners; you do not mix them up with the bodies of practitioners; and therefore with relation to any question of medical reform, for instance, it does not interfere with that, if chemists and druggists are kept distinct from medical practitioners.

1863. What is your opinion with regard to the general object of this Bill, in preventing



preventing the sale of compound drugs or preparations of drugs by any persons as chemists and druggists, except licentiates of this society?—I apprehend that the effect of this Bill will be that there will be three sources from which drugs will be supplied to the public. There would be the practitioners of medicine, those holding diplomas, who would be permitted to exercise the function of pharmaceutical chemists as they do at this present moment; then there would be the parties recognised and licensed under this Bill; and then there would be those who did not profess to be pharmaceutical chemists at all, but who merely sold some drugs while following some other occupation; grocers for example.

1864. But you are certainly of opinion that there should be a prohibition that no person hereafter, exclusive of medical men, should act as a chemist and druggist who had not been licensed by this society?—No, it does not amount to that; I only say he shall not proclaim himself to be a chemist and druggist; he may act perfectly well; there is nothing to prevent any man from acting, but he shall not say he is a chemist and druggist, or lead people to suppose that he is so.

1865. *Chairman.*] Do you think it would be sufficient that unqualified persons should be merely restricted from using one particular term, such as “pharmaceutical chemist” for example?—I was much inclined to hold that opinion before, and in our private discussions in Edinburgh I was much disposed to think that that part of the Bill which refers to “signs, tokens, and emblems” should be omitted; but I confess that I am now rather inclined to leave it in, because I think the law would be easily evaded if it were left out.

1866. Do you not think the law would be inoperative, or nearly so, if the only restriction referred to one particular term, and that the same impression might be conveyed to the public by any other means that a person might choose to adopt?—It was that consideration which led me to alter my opinion.

1867. Do you think it makes any difference with regard to a deception being practised whether it is done by words or signs?—No.

1868. *Sir W. G. Craig.*] You do not object to a man acting as a chemist and druggist, provided he does not put this name over the door, and put a pestle and mortar in front of it?—I say that I would have a penalty inflicted on a man who assumed the name, if not entitled to do so, but I would not prosecute him for the practice of the business; the general feeling in Scotland is against penal clauses.

1869. How could a man be committing a fraud if, when you allow him to sell medicines, he merely puts a pestle and mortar in front of his door to indicate that he does sell them?—If that is to be the recognized sign that is to distinguish an authorised pharmaceutical chemist, if you say a man who has no external symbol on his shop is to be understood as a man who has no licence, then the public will know the difference between the man who is and is not licensed.

1870. You go merely to the prohibition of the symbol, allowing a man to carry on the trade?—Yes; we object generally to the prosecution of unqualified persons for practising; they do not generally answer the purpose in the end; they often make martyrs of the people; but when you have the distinct fraud of assuming a false title, you have a good ground to go on; and that is not a new principle.

1871. *Chairman.*] Did not Sir James Graham entertain that principle?—I think that that principle was agreed on in some of the numerous conferences with reference to one of the medical reform Bills.

1872. Would this description of prohibition prevent a person keeping a shop for general business, from issuing a circular with a list of what he sold, including drugs, if he did not call himself a chemist and druggist?—No, I suppose not; any one of these general dealers might display in his window a placard stating that he sold rhubarb, jalap, and senna if he thought fit, provided he put no emblem in his window to make the people suppose he sold those articles as a qualified chemist.

1873. *Sir W. G. Craig.*] Suppose a man filled his window with the usual laboratory bottles, would that come under your prohibition?—That is a difficult question to answer; that is rather for a lawyer to answer than for me. I should consider him as not acting an honest part if he did so.

1874. Then at the same time that you allow him to carry on the trade, you would prevent him from letting anybody see that he does it?—I am supposing this Act in force; he then carries on the trade simply on the understanding that he is ready to dispense medicines. “But (he says) if you come to me to get them you must understand I am not a person who has undergone an examination; that



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man over there, who has the emblems, has undergone an examination, but I have not."

1875. *Chairman.*] Would not that let the public understand that if they want any poisons or strong medicines they must go to a man exhibiting emblems, but if they want merely an ounce of salts or senna they may take the risk of getting it of a person not educated as a pharmacist?—It would simply amount to this, that you would find a qualified chemist in one place and not in another.

1876. Sir W. G. Craig.] You would not prohibit a man from making up prescriptions to any extent when they were sent to him by a regular professional man?—I am not disposed to prosecute him for doing so; but if the world goes to him, they go to him with their eyes open; they go with their eyes open into the place of a man who is not qualified.

1877. From the evidence we have had, it would appear that that is not the object of this society: the object of this society is, that no prescription shall be made up except by a person duly examined and licensed?—No, that is not the effect of this Bill. The object of the Pharmaceutical Society, undoubtedly, is to raise up a body of men who shall be capable, well examined, and well educated, and who shall be ready to supply the public with good drugs. That is the object of the Bill; and when the public once knows the difference between the well educated and non-educated man, then they will undoubtedly desert the non-educated man, and it will come in effect to this, that the public will be supplied by educated men only.

1878. We have received evidence that the object sought is the absolute prohibition to sell drugs, except they are obtained from one of their own licentiates; do you agree in that?—No; I think that would be a monopoly, and would lead to endless heartburnings.

1879. *Chairman.*] You are aware that that is the nature of the prohibition of the Apothecaries Act of 1815?—It is, as regards practitioners, and it has produced that effect.

1880. Do you think that that Act has been much less operative than it would have been if the Apothecaries Act had merely restricted the prohibition to the assumption of the title of apothecary or medical practitioner?—I should require to go over the Apothecaries Act more carefully, before I would say that generally. I think one reason why the Apothecaries Act, and similar penal enactments and prosecutions for acting by unqualified persons, have led to so much heartburning, has been that it very generally has arisen from the jealousy of one party in a neighbourhood trying to put down a successful practitioner near him.

1881. Have you ever heard of a case in which a prosecution has originated with the Apothecaries Company, from any other cause than that?—I know that plenty of prosecutions have arisen, but I cannot speak precisely to their causes.

1882. Sir W. G. Craig.] Have not various obstructions been thrown in the way of Scotch practitioners by the Apothecaries Society?—Decidedly. We have been for a long time striving to get an equality of privilege for persons equally well educated all over the country.

1883. *Chairman.*] Do you think it is easy to establish an equality of privilege, if among the different Boards of Examiners each board adopts such regulations as they may think fit?—I think they should be as nearly as possible assimilated in right of practice and in the qualification required; and that the education and tone of examination should be as uniform as possible throughout the country.

1884. In the Boards of Examiners proposed for the Pharmaceutical Society, and which are, in fact, in operation, are you aware that the president and vice-president of the society are *ex officio* members of the two Boards for the express purpose of insuring uniformity?—Yes.

1885. Do you think that is a good regulation?—Yes, I think it is.

1886. Do you consider that inconvenience has arisen from the difference in the qualifications of persons in the profession possessing the same title, but having obtained their qualification at different institutions?—You mean, for example, there is a difference in qualification between an M. D. from one university and an M. D. from the other?

1887. Yes?—Yes; there is a difference in the estimation of the value of the degree.

1888. You think the public find out the difference?—Yes; we find a large proportion of the graduates of one university in better practice than the graduates of another.

1889. Sir



1889. Sir *W. G. Craig*.] Would not the same difference of qualification exist in persons examined at the same school?—Yes, of necessity there would be a difference of qualification, according to the talent of the individual, where there are a great number of licentiates.

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1890. *Chairman*.] Do you consider it desirable, as far as it can be accomplished, to obtain uniformity of qualification in persons of the same class?—Certainly; all equally good, not equally bad.

1891. In that case any persons desiring a superior qualification to the ordinary one would make extra exertions of their own; it would be a voluntary act on their part; if they wished to take a superior degree beyond what the law requires, it would be a voluntary act?—Yes; for example, a person taking the honorary title of doctor of medicine, when he does not require it, that is a voluntary act.

1892. Would you consider that the degree of qualification established by the Pharmaceutical Society ought to be the minimum qualification that any person ought to have who called himself a pharmaceutical chemist?—I should like to see the curriculum of education that is laid down before I answer that question precisely.

1893. Do you think that the curriculum should be such as to ensure a proper qualification for each individual?—Certainly; there should be a minimum of qualification below which no man should be entitled.

1894. In your lectures on materia medica, do you not enter a good deal into therapeutics?—A good deal.

1895. Would not that be unsuited to the chemists and druggists?—Not unsuited, but unnecessary.

1896. Could you so regulate your course of lectures as to divide them into two portions, one of which should be adapted to chemists and the other to medical men?—It would be perfectly easy, and I have been asked to do so.

1897. Do you think that in case this Bill should pass, the demand for education among chemists would cause such an alteration to take place?—It would not be an alteration in the whole sense of the word. I beg to mention that on no consideration will I ever admit any one to my lectures to take the course of lectures in the ordinary way at a lower fee than the regular fee that is charged in our school; I never will do that on any account; but this much could be very easily done: the first part of my course is on dietetics and regimen; the second part on general therapeutics, both strictly for the education of medical practitioners, and a very important part for them; then, after that, there is the department which we technically call Pharmacology, or a knowledge of the substances employed in medicine, and that is the part of the course which the licentiates of the Pharmaceutical Society would require to attend. They might easily enter as pharmaceutical students; they would attend along with the medical students, but their tickets would not qualify them for the licence of the College of Surgeons.

1898. They would only attend a portion of your lectures?—They could in that way.

1899. In that case do you think the institutions of Edinburgh would afford facilities for the proper education of pharmaceutical chemists?—I know they would.

1900. And do you think that the necessity of passing an examination to obtain the rank of a pharmaceutical chemist would induce the apprentices of chemists to come forward?—Undoubtedly; but they ought to be obliged to do it, I think. I may mention that at this present moment a considerable number of apprentices of pharmaceutical chemists in Edinburgh attend the lectures.

1901. Has that been since there has been a movement with a view to the improvement of the qualification?—I cannot answer that question, because the movement commenced a couple of years after I began to lecture, so that I cannot judge. There is another point which I beg to remark with regard to such pupils, that although they are apprentices to pharmaceutical chemists, I have reason to believe that some of them have become medical practitioners eventually.

1902. There is no clause in the regulations of the College of Surgeons requiring an apprenticeship with a medical practitioner, I believe?—No, that is done away with; but our licentiates are required to serve a certain time in a laboratory to form an acquaintance with drugs.

1903. Then they are obliged to obtain a practical portion of their education in pharmacy

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pharmacy from a chemist and druggist?—Or in the laboratory of an hospital or dispensary; a course which is most frequently adopted.

1904. I think you informed us that the regulations of the Society of Apothecaries prohibited the licentiates of the College of Surgeons who are examined in pharmacy from practising as apothecaries in England; do you think it would be consistent with the title of this Bill to remove that regulation, or to interfere at all with the privileges of the licentiates?—So far as I am entitled to give an opinion upon the heading of an Act of Parliament, I should say this Bill has nothing to do with it; it does not refer to general practitioners at all.

1905. Do you think that all that can be required from the promoters of this Bill in reference to the medical bodies is to exclude them altogether and absolutely from its operation?—Yes, and to keep them distinct from the chemists; and in doing so, to take care you deprive them of no privilege they have at present.

1906. So that any privilege they enjoy now they would enjoy after this Bill passed?—Yes.

1907. If that be enacted in this Bill so as to admit of no mistake, do you think any medical or surgical body could have any cause to complain of it?—I certainly do not think so.

1908. Do you think the medical profession is interested in the introduction of any regulation which shall insure the more efficient performance of the duty of dispensing prescriptions?—If they are not they ought to be.

1909. Is not the character of a medical man often at stake with reference to the manner in which his prescriptions are dispensed?—It may be; the non-efficacy of a medicine resulting from inferiority will be as likely to be ascribed by the patient to a mistake on the part of the doctor (except in a case of sheer poisoning) as to the mistake of the chemist.

1910. Then is it your opinion that the chemists ought to be fully competent to examine and test the medicines they sell?—That is one of the points which I wish to urge, and it is one on which I think the pharmaceutical chemists are deficient; they are not, from their education, properly qualified in that respect.

1911. Are there instructions contained in the pharmacopœia for testing the various drugs for the purpose of ascertaining their purity?—In the pharmacopœias of London and Edinburgh there are.

1912. And do you think that chemists at present, as a body, are competent to apply those tests?—As a body I do not think they are.

1913. Do you think that they will become so by means of the proposed improvement?—I think that no one should be allowed to have his licence as a pharmaceutical chemist unless he is able to do so.

1914. Are there cases in which the absence of this knowledge is likely to produce serious mischief and danger to the public?—In so far as that they lose a great means of determining the impurity of the drugs which they purchase from the wholesale dealers.

1915. Have you met with instances in which parties have been unacquainted with even the physical character of drugs?—I have indeed; in the case of a druggist having a pretty large establishment, and in a tolerably large-sized town.

1916. Have any circumstances occurred to you in which that has been proved?—I proved it in this instance myself, by the man shewing me a sample of a drug which he said was impure, and which he described as being of a bad quality.

1917. What drug was that?—Scammony, a common purgative medicine; and I made him understand that that was the first sample of pure scammony he had ever seen.

1918. Do you believe that other instances of that kind might be found in various parts of the country?—I have very little doubt of it.

1919. Is there any other observation which you desire to make to the Committee?—Yes; I am anxious to point out what is partially alluded to in the paragraph I have quoted; that is, the great lack of progress in pharmacy in this country. That is one of the objects which attracts my attention particularly; that nothing has emanated in the way of pharmaceutical discovery from Great Britain at all, whereas we have received some of the most important improvements in our *materia medica*, and in our means of practising our profession, from Continental pharmacutists. I need only quote the two examples of morphia and quinine,



quinine, substances, both of which were discovered, the one by a German, and the other by a French pharmacist. Strychnine is another.

1920. Sir *W. G. Craig*.] Who was the discoverer of chloroform?—It was discovered simultaneously by M. Soubeiran, a pharmaceutical chemist, in France, and by Baron Liebig in Germany. You will hardly find an important pharmaceutical discovery in which a continental pharmacien has not had a hand either in establishing it, or as being the original discoverer. One made recently in Edinburgh, by a pharmaceutical chemist there of the active principle of aloes, is almost the only thing of interest I can remember at present as emanating from British pharmacy.

1921. *Chairman*.] Do you attribute that circumstance to the total absence of any regulations for pharmaceutical chemists?—Seeing that there are no such regulations here as there are on the Continent, and seeing that on the Continent these results are produced, I think the conclusion is obvious.

*James Watson, Esq., M. D.*, called in; and further Examined.

1922. *Chairman*.] THE Committee understand that you have some further observation or suggestion which you wish to make; is that so?—Yes; I think, considering the importance of Glasgow as a city, as it has long been a medical school, and as the faculty there have had themselves the licensing of druggists for a long period, it would be but right that if this Bill passes, a Board for examining the pharmaciens should sit there either constantly or occasionally; but that it should be respected in some way or other as being a place of sufficient magnitude to have a licensing board for itself.

*J. Watson, Esq.,  
M. D.*

1923. Would it meet your views if some members of that Board were men residing in Glasgow, and if the Board met alternately, or as occasion might require, at the one place or the other?—Perfectly; and I think that the same thing might be done with regard to Aberdeen or some such large towns as that at a distance from Edinburgh or Glasgow; and that if necessity required, the same Board should sit occasionally at such places as might be thought right. That is all that I wish to suggest.

1924. If an arrangement of that kind could be made, may we understand that your objections with reference to the Board of Examiners would be removed?—I think they would; I think that the Royal colleges and the faculty, who have so long superintended the examination of pharmaciens, should be recognised; but I would by no means think that they should be the only examiners. I think, however, that they are the proper people who ought to superintend the licensing of pharmaciens; they are the people who have long done so, and they make it such an important part of their curriculum to have an education fitting men for the situation of pharmaciens, that I think they should be respected very much, though I am not prepared to say to what extent. I would not say they ought to occupy the whole position of the council or Board of Examiners, but that they should have something considerable to say in the council; I think that would be much for the advantage of the examining Board; they are men of education and men of literature; and although they may not perhaps have made pharmacy a special object of their study, still they understand the principles of it.

1925. You have some well qualified pharmaceutical chemists in Glasgow, have you not?—Yes, we have.

1926. Who would be fully able to examine on the practical part of their profession?—I think so; I could name two or three, if necessary; I think there are such gentlemen, and I think that the Board would be much better with such gentlemen added to it.

1927. Have you any other observation or suggestion to offer to the Committee?—No, nothing else occurs to me.

*Robert Renton, Esq., F. R. P. E.*, called in; and Examined.

1928. Sir *W. G. Craig*.] WILL you state generally what your views are with reference to this Bill?—The College of Physicians in Edinburgh has no particular personal interest in this Bill, either in its corporate capacity or as individuals; but the college, from the interest it has taken in medical reform, and from the fact of its having issued a pharmacopœia for a long period, is naturally concerned in everything that relates to pharmacy; and therefore the college, believing that

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the Bill now brought forward contained some provisions at variance with the opinions of the college, authorised me to proceed to London, and to state what objections the college had to these clauses.

1929. The College of Physicians have had the Bill under their consideration, and they have printed some suggestions regarding it, have they not?—They have.

1930. Will you deliver those suggestions in?

[*The Witness delivered in the following Paper:*]

BILL for Regulating the QUALIFICATIONS of PHARMACEUTICAL CHEMISTS.

SUGGESTIONS on behalf of the Royal College of Physicians of Edinburgh, respectfully submitted by that Body.

First. The Royal College see no objection to the various druggists in the kingdom being united together in one body admitting to membership by examination and registration, and conferring honorary titles; on the contrary, they are of opinion that such an arrangement might be conducive to the interests of the public.

Second. While the Royal College agree in the general propriety of such an institution, they think that the time which has been chosen to introduce it into Parliament is singularly unpropitious, and likely to tell disadvantageously on the prospects of medical reform, which has long been under the consideration of the Legislature.

Third. The Royal College are of opinion, that as the great obstacle which has hitherto impeded medical reform has been the number of corporations having, or supposed to have, an interest in the matter, and whose concurrence in favour of any one measure it has been found difficult to obtain, so it would be highly inexpedient to confer such powers on any new corporation as would give them exclusive privileges in any department.

Fourth. The Royal College are of opinion that when guilds and all other corporations are abandoning their exclusive privileges for their own protection, as quite unsuited to the present state of public opinion, it would be a retrograde movement to grant powers of a similar kind, or to confer monopoly on any new body whatever.

Fifth. The Royal College have a peculiar interest in this matter, for, by Royal charter, dated 1681, they are invested with the power of examining all druggists opening shops within their jurisdiction, yet observing that public competition was a better check on this as on other trades than any examination, however strict, could by possibility be, they have long since ceased to exercise these powers.

Sixth. At the same time the Royal College have done their utmost to secure the interest of the public in this matter. They have issued from time to time, a pharmacopœia, embodying all the improvements in chemistry and materia medica, as a directory for the guidance of the profession and druggists; they have also in it recorded the best tests by which the purity of the medicines can be ascertained; and they have provided, at great expense, a museum containing specimens of all the drugs used in medicine, and to which students and others have free admission.

Seventh. The Royal College, considering the interest they have long taken in this matter, and farther considering the powers vested in them by Royal charter, cannot give their sanction to the formation of a Board in London, to which the nomination of the parties who are to carry out the objects of the Bill in Scotland is to be intrusted, being decidedly of opinion that parties on the spot are much better qualified to select the elements out of which such a Board should be formed.

Eighth. The Royal College observe, with great regret, that it is proposed to enforce the provisions of this Bill, by inflicting penalties for breaches of its enactments. They had thought that such legislation was entirely obsolete, and that the distinctions conferred by bodies of a similar kind were purely honorary, and are of opinion that no penalty should be inflicted, except in the case of parties fraudulently assuming a title to which they have no legal claim.

Ninth. The Royal College observes, that while all other parties practising pharmacy at the date of the passing of the Act are entitled to be registered as pharmaceutical chemists, this privilege is withheld from members of the medical profession; a restriction to which they decidedly object, being of opinion that the public are under great obligations to those medical men who, in remote districts which could not support a druggist, provide medicines for their patients and others. The Royal College of Physicians would suggest that the following words should be added to clause 20, line 33: "And that all persons who may now be or may hereafter become entitled to practise under the license of any of the corporate bodies in Scotland, examining on materia medica and pharmacy, shall be entitled to carry on the business of pharmaceutical chemists."

Tenth. The Royal College object very decidedly to the arrangement proposed by clause 3, permitting of voting by proxy at the meetings of the society. They are of opinion that such an arrangement, except at election meetings, would enable the larger druggists in London to exercise an amount of influence that might prove detrimental to the interests of the society.

Eleventh. The Royal College trust that these suggestions will have the weight to which they appear to them to be entitled, with the promoters of the Bill, and with the Legislature, so that a hearty and unanimous support may be given to it by all having interest in the matter to which it refers.

Twelfth.



Twelfth. There are some minor matters of detail which the Royal College think might be advantageously modified; meanwhile, however, they propose to confine their observations to questions involving the principles of the measure.

In name and by authority,

*J. Y. Simpson*, President.

*R. Renton, Esq.*  
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1931. *Chairman.*] In the first place, the college says that it has no objection to the incorporation of chemists and druggists for examination and registration; that is the general object of the Pharmaceutical Society?—Just so.

1932. The college has no objection to that?—No.

1933. But, secondly, you state that you consider this time is inopportune for introducing the improvement?—Yes.

1934. For what reason do you consider that the time is inopportune?—The college has been very anxious for the introduction of a general measure of medical reform; and they thought that a Bill, such as the contemplated Bill, if it were to be passed into a law, might operate against, and be a bar to the introduction of a general measure; that is the opinion of the college; whether that opinion is well or ill-founded is another question; they would rather that the general measure of reform had preceded this Bill than succeeded it.

1935. Has the college been for several years engaged in an endeavour to introduce this general Bill?—It has.

1936. Is it apparently nearer the result now than it was at the beginning?—That is a matter of opinion; some people think it is, others again think otherwise.

1937. Is it the opinion of the college that a necessity for improved education exists among the pharmaceutical body?—I believe there is a general opinion that there is room for improvement in that respect.

1938. Does the college recognize the importance of a proper chemical and pharmaceutical education in those who dispense prescriptions?—They do.

1939. Seeing that it has been proved by many witnesses, and, I think, generally admitted, that the education of pharmaceutical chemists in this country is not so good as it is in other countries, does the college consider that there ought to be an improvement introduced?—They do.

1940. And in the event of an obstacle occurring to the introduction of the general measure, do you think that the other improvement, which it is admitted to be desirable, ought to be abandoned or delayed?—We have no objection to the Bill proceeding, provided certain objectionable clauses are taken out of it, namely, the penal clauses.

1941. Then you would relinquish your objection with regard to the inopportuneness of the time?—In some degree that objection would be much obviated.

1942. The third objection is with reference to conferring such powers on any new corporation as would give them exclusive privileges in any department; I think you have heard the evidence given to-day and yesterday?—Yes.

1943. Do you consider that by reserving all the powers already existing in the hands of your body and the other medical bodies, and excluding altogether the medical profession from any operation of this Bill, the term “exclusive privilege” would be applicable?—If it were worded so unambiguously as to remove all doubt upon the subject, and if it were said that the licentiates of the College of Surgeons and Faculty of Physicians of Glasgow were to be in no way affected by the Bill, it would remove a great objection to the measure.

1944. Then the introduction of those words in the 20th clause of the Bill which exempt the medical bodies, would in a great degree remove your objection?—If the clause were more clearly expressed.

1945. If it stated that the licentiates of all these bodies were exempted as well as that body itself?—Exactly.

1946. I think you have been informed that it is proposed to introduce those words to prevent any ambiguity?—I have heard it so stated.

1947. You have heard the opinions which have been expressed before this Committee in reference to the supposed creation of a monopoly, do you consider that this Bill will confer a monopoly?—It would confer a monopoly were you to prevent parties from opening shops and dispensing drugs who are not licensed druggists under the Bill.

1948. But with the interpretation that has been given, and supposing it would only prevent the assumption by them of a name or title, &c., implying a qualification,

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tion, and from thereby deceiving the public, would it be a monopoly if a grocer might still sell drugs in the capacity of a grocer, though prohibited from pretending to be a druggist?—I have an objection to grocers selling drugs. I do not mean to say I would prevent it, but I would rather have a substitute for a grocer, though not licensed under the company's charter. I would have individuals who, though not licensed, have been brought up as druggists, to keep shops, and I would prefer them to grocers. I think the public would have greater security with them than they can have with the grocers. My object, and I believe the object of the College of Physicians, in supporting this Bill without any of its penal inflictions, would be, not so much for improving the smaller class of druggists as for improving the large and wholesale dealers, particularly in England and Scotland; men who are druggists and who are believed to be very ignorant of the quality of drugs. I do not speak from personal experience of the men, but from the testimony of others on whom I can place great reliance. I think that there is a great want of precise information among that class of individuals, and I think that one of the great objects of this Bill should be to raise the character of these large dealers, and not to prevent the thinly peopled portions of the country from availing themselves of men who are very useful in their way at present, although by no means first-rate druggists.

1949. But do you not think that education is quite as important in the case of the retailer who receives drugs from these wholesale dealers, and has to judge of their quality?—I think it would be very advantageous for both parties to be highly educated; but it is an impossibility in the one case, and not an impossibility in the other. In the poorer districts alluded to, it is beyond the means of the individual, and he cannot go to the expense necessary to educate himself higher; there is no demand in such places for a higher educated class at present, though the class has risen of late years. I am old enough to recollect when women used to dispense medicines; they have died out, not by any legislative extinguisher being put upon them, but they have died a natural death, and have been succeeded by better informed people; I recollect in Edinburgh several such individuals, I believe there is one only now left in the field; and in the villages and hamlets of Scotland the case is exactly the same. I am old enough to recollect parties serving in chemists' shops 35 or 40 years ago, who were very unfit to dispense medicines; they have been succeeded by a superior class of chemists and druggists, though not licensed, and it would be a great hardship upon the public if they were to be deprived of the services of these people. I have never heard of any gross errors having been committed in the way of dispensing medicines by these people. In the Highlands and Islands of Scotland we have not only a great want of druggists, but of medical men, which is an immense hardship and a great deprivation; you cannot induce medical men to go there, there is so little demand for their services, and therefore we should encourage such men as much as possible. If Government had power or inclination to send medical men there, it would bestow one of the greatest boons that could be conferred on that part of the Highlands; and if they could afford to send druggists also who could dispense the common articles of medicine required in these localities, it would be of immense service; but at present they are actually in want of both the one and the other, and therefore any Bill that would tend to diminish the number of either of these classes of men I am most distinctly opposed to.

1950. Sir W. G. Craig.] Do you consider that the persons you speak of would be competent to make up prescriptions that you might yourself send?—Quite competent; I have never had reason to think otherwise.

1951. Chairman.] As this Bill does not prevent grocers or general dealers from selling drugs, but simply creates a distinction between them and those who have passed an examination and assume the title of chemist and druggist, do you not think the tendency of this Bill would be to raise the qualification of the chemists and druggists as a body, and to increase the number of those who understand their business?—Without any legislative enactment, the character of that class of individuals has been much raised already of late years; and I do think that if they were left alone, the pressure of public opinion is such that it would force them, as it were, to have recourse to higher attainments.

1952. Do you think the public have any means of knowing whether a man is a qualified druggist or not, or whether the drugs he sells are good or not?—No.

1953. Would not the public be apt to be deceived by a person who advertises and professes himself to be superior to others, rather than be influenced by the



the fact of his actual qualifications?—They are very apt to be deceived, undoubtedly.

1954. Then if the law stated that no person should assume the name, or pretend to be a chemist and druggist unless he were qualified, would not that be a security to the public against those empirics who are continually deceiving them, while at the same time it would permit the ordinary general dealers to sell drugs?—Yes, certainly; and I would visit the party with a heavy penalty if he assume a title to which he has no legal claim.

1955. Sir *W. G. Craig*.] Would you visit him with a penalty if he did any thing to induce the supposition that he had a claim to this title?—Yes; if, for instance, he affixed the title above his door.

1956. Would you visit him with a penalty if he filled his windows with pill-boxes, and so on?—If you allow him to sell drugs, it is obvious that you must allow him to advertize to the public that he does so, either by putting a jalap bottle or something in his window, or by some other means, so as to let them know that jalap is to be bought at his shop.

1957. *Chairman*.] Are there not many ways in which a person could let the public know that he sells drugs, without making them suppose he sells them in the capacity of a qualified druggist?—I think the distinction might be made quite obvious if the Bill were to provide that no man should put “licensed pharmaceutical chemist” or “druggist” upon his door unless he had a license. I think that of itself would be perfectly sufficient to mark the distinction between those who have received a license and those who have not. I do not think that prohibiting a man from putting a bottle into his windows would have any such effect. There is one other remark which, with the permission of the Committee, I will make. I do think that a great deal of the adulteration of drugs that has taken place, and that now takes place among the druggists, is the result not so much of ignorance as it is the result of knavery. Legislation can accomplish much, it is true, but there are some things which are beyond legislation, and legislation will never make an honest man of one who is determined to be dishonest. I am far from wishing to underrate the importance of education to a chemist and druggist, and if you will let his acquirements be tested by examination; but I do not think that the examination ought to be considered as a complete criterion of the competency of the party so examined. People who are coming before a Board for examination have a way of reading up, or “cramming,” as it is called, and are sometimes passed without having a competent knowledge. I should think that an apprenticeship in a druggist’s shop, and being practically acquainted with the details of the laboratory, would afford better security to the public, than any examination however rigorously it may be conducted.

1958. *Chairman*.] But in cases where the chemist buys all his drugs ready prepared, what opportunity has the apprentice of learning his business?—I believe the apprentices are in the habit of having a clause inserted in their indentures, giving them freedom for five or six months to go into the shop of one of the larger druggists, where a laboratory is kept, in order that they may see the processes, and manipulations carried on, in these establishments.

1959. Is that the case in Scotland?—I have heard of several such instances.

1960. Do you think it desirable that there should be an agreement between the apprentice and his master that some facilities of that kind should be given?—Yes; everything, I think, is desirable that would increase the apprentice’s knowledge, and render him more competent.

1961. Sir *W. G. Craig*.] Have you looked at the interpretation clause, which says that “The term ‘pharmaceutical chemist’ used in this Act, shall be construed to include chemist and druggist, dispensing chemist, and every other term denoting a dispenser of medical prescriptions and vendor of medicines, not being a member of the medical profession, or practising under a diploma or license of a medical or surgical corporate body”?—It is very general.

1962. *Chairman*.] Do you understand the object of that definition?—Yes, I do.

1963. What do you understand the object of it to be?—That a dispenser of medicines shall not have anything to do with medical practice, but shall confine himself entirely to the dispensing of drugs over the counter.

1964. Do you not think it desirable that there should be a separation between the practice of the medical profession and the practice of pharmacy?—Decidedly; but I doubt very much whether legislation will be able to accomplish it.

1965. You think it impossible to effect an absolute separation?—Yes.

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1966. Do you not think it should be done as far as it may be found practicable?—In some respects I think the proposal is objectionable, on the ground that although you may declare it to be illegal to give advice, you will not prevent the public from going to the dispenser of drugs and asking his advice, nor will you be able to prevent the dispenser of drugs from giving that advice, by any Act you can pass. I am satisfied of that. It has been mentioned, I think, that the Apothecaries' Company, who commenced as a trading company in drugs, in the course of years became a body of medical practitioners. The public consulted them, came to them first for their drugs, and then asked for their advice and went home with both, and were perfectly well pleased; and hence they reached an importance as medical practitioners which was not contemplated at first. In the same manner I am apprehensive that however much you may wish to separate the two branches, the dispensers of drugs and the medical practitioners, you will not be able to accomplish that separation, and my fear is that you will raise another body of practitioners, as was done in the case of the Apothecaries' Company. I think that is an important consideration to be borne in mind.

1967. Is it not fair to look at the Continent, and see how the same kind of regulation operates there; and when we find that by making a pharmaceutical chemist entirely distinct from a medical practitioner, the separation is almost entirely maintained, may we not expect a similar result from similar arrangements here?—When you get the political institutions and the habits of the people of the Continent to be the same as the political institutions and modes of thinking in this country, you may reason so; but while there is such a difference in all these respects, you cannot expect the same consequences to follow from the same premises.

1968. Sir W. G. Craig.] Do you think it possible for a person to keep a druggist's shop without prescribing to a certain extent?—No.

1969. Is it not the invariable practice that persons of the lower classes who may have an attack of diarrhoea or heartburn, go into an apothecary's shop and ask for a remedy for their particular complaint, and does he not, as a matter of course, prescribe it?—Quite so, and that practice is not confined to the lower class of society, but it applies to the higher orders as well; and you will never prevent it unless you establish some despotic regulations in this country, which I hope will never be introduced.

1970. Would it not be a great inconvenience to the public at large, if dispensing to that extent for ordinary and trifling complaints were prohibited?—I think so.

1971. Chairman.] Is there any objection to an improvement in the qualification of pharmaceutical chemists by the adoption of some such regulation as has been alluded to?—Quite the reverse; but I would have your attention more particularly directed to the large than to the small dealers; I think the small dealers are useful in small and thinly populated districts of the country, and you cannot well do without them; but I would have the education of the drysalters raised, for I understand that they are very ignorant in England; and that they employ subordinates to purchase their drugs, who really know nothing about them.

1972. I do not understand what you mean by a drysalter; they are not a class we look on as druggists in England at all?—They often conjoin the two businesses of drysalter and druggist, I believe.

1973. Sir W. G. Craig.] Are you aware that wholesale druggists constantly keep drugs which they know to be adulterated to a very large extent, and sell them at a gradation of price in proportion to the extent of the adulteration?—I am afraid that is the case.

1974. Lord Burghley.] Is it not the practice to put up on the doors of shops and warehouses, "wholesale druggist and drysalter"?—Yes, I believe so.

1975. You have probably seen that?—Yes, I have.

1976. Chairman.] That is to say, the two trades are combined?—Yes, and that is my objection; although I would not wish to shut the door on the grocer, I think it is objectionable to keep open the door of the grocer who sells groceries and medicines, and to shut the door of the other man who, though he has not been licensed under this or any other Bill, has had experience in the compounding of simple potions, pills, and so forth, where there is not a demand for a more highly qualified person.

1977. Chairman.] You object to the formation of a Board in London, who shall



shall have the nomination of examiners in Edinburgh. Have you heard the proposed manner of appointing the Board in Edinburgh, which Mr. Mackay mentioned this morning?—Yes, I heard partly that statement.

1978. Do you think that that in a great degree would remove the objection?—No; it does not remove my objection entirely. I would have in the Board of Examiners to be appointed, representatives of the Colleges of Physicians and Surgeons, and of the medical faculty of physicians and surgeons of Glasgow; say one from each of those bodies, the representatives being selected by the respective colleges, three to be nominated by the Pharmaceutical Society, making six in all, and these forming the Examining Board for Scotland. I do not think the colleges would allow the pharmaceutical body to select the examiners.

1979. Do you think it is constitutional for one corporation to divide the jurisdiction with another corporation?—I do not think the College of Surgeons could abandon their jurisdiction. The College of Physicians also takes a warm interest in the matter; and I think they would view with disapprobation the nomination of a Board without one of their number being present, either as an examiner or as an assessor, to see that there was a proper and stringent examination.

1980. But seeing that this Bill reserves to your corporation the entire jurisdiction over your own affairs and your own licentiates, what objection can you have to another corporation entirely distinct, having jurisdiction over its affairs?—We think it would be superseding us in some degree in our functions, by allowing the Board in Edinburgh to be entirely appointed by the Board in London; and we think that we are more competent judges, being on the spot, to select the individuals who ought to be upon the Board.

1981. Your object in desiring to have a share in this matter is, that you wish to have the examination made sufficiently stringent for the protection of the public?—Exactly so; and we have no other object.

1982. You wish to have a share in the examination, in order that it may be sufficiently stringent?—Yes; we might be satisfied with that.

1983. Then are you opposing this Bill, and running the risk of its being thrown out, leaving absolute ignorance to reign, for fear an examination should be instituted which should only go half way?—No; our principal objection to the Bill is not so much on that ground, as that it goes to suppress a useful class of druggists in the hamlets and villages of Scotland. We think it has a monopolising influence in that respect; that is our principal objection to the Bill. Then another objection is, that we think if a *bonâ fide* examination—a stringent examination—is to be conducted, we can see no good reason why the Pharmaceutical Society should object to one of our body being present either as an examiner or as an assessor; and if there is no objection to that, it is surely but an act of common justice to the body itself that it should select the individual so sent.

1984. Sir *W. G. Craig*.] This is simply one of the amendments which you suggest to the Committee to make in the Bill?—Quite so.

1985. *Chairman*.] As it has been explained that the Bill will not deprive the public of these useful dealers in the villages, but will merely create a distinction between the examined and unexamined men, does not that remove your objection?—Certainly; if a small druggist, an unlicensed druggist, is to be allowed to continue to keep his shop open, but not to assume the title of “Licensed Pharmaceutical Chemist,” that would remove a great deal of my objection to the Bill.

1986. You object to the infliction of penalties?—I do.

1987. But you say “that no penalty should be inflicted, except in the case of parties fraudulently assuming a title to which they have no legal claim.” Are you aware that that is the sum and substance of all that is required by this Bill; the pretending to be that which a person is not, there being no other penalty whatever?—On reading the Bill, it struck me there were other penalties.

1988. That is the intention of the Bill?—If that be the intention, and if it be so expressed, it would remove one great objection which otherwise I might entertain against the Bill.

1989. Sir *W. G. Craig*.] Your impression is that it goes a great deal further?—Yes.

1990. Lord *Burghley*.] If the small chemist is allowed to sell drugs, but is not allowed to put up the words “pharmaceutical chemist” unless he has passed this examination, but is allowed to put up his boxes of pills and bottles in the window,

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his customers will not be in the slightest degree affected by the Bill, will they?—No, if he is allowed still to keep open his shop as heretofore.

1991. But he is not to be allowed to put up the words pharmaceutical chemist?—Undoubtedly not; I would visit his doing so with high penalties.

1992. *Chairman.*] Then on the subject of penalties there is very little if any difference between us?—I am glad to hear you say so.

1993. And on the subject of the Board of Examiners the only difference appears to be as to the jurisdiction; you have heard it stated that the Board of Examiners would not object to the attendance of any medical practitioner on behalf of the college, but the Board require that the corporation should retain its jurisdiction over its own body?—We do not wish to mix ourselves up with the powers of the Pharmaceutical Society, further than that we would wish if an individual is sent to the examining Board from the College of Physicians, the college should nominate the individual and not the Pharmaceutical Society; that is the whole point; further than that we have no wish to interfere, in the remotest degree, with the Pharmaceutical Society.

1994. There is another objection which you raise to the third clause, permitting voting by proxy; you have heard, I believe, that that clause has been altered?—I have heard that it has been altered very much to my satisfaction.

1995. Altered in such a way that every member of the society is to have a paper transmitted to him, which he will send back to the secretary, containing his vote?—Just so.

1996. So that each member shall have the privilege of voting?—That is a decided improvement, I think.

1997. There are heavy penalties against fraudulently obtaining a certificate, are there not?—Yes; but I think that that penalty is a great deal too small. I would make it very large; a man who could be guilty of such an act of fraud as that I should fine very severely.

1998. Have you any other suggestion which you would wish to make to the Committee?—No, nothing else occurs to me; the objections which I had have been in many respects explained, and obviated.

*Alexander Wood, Esq. M.D., called in; and Examined.*

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1999. Sir W. G. Craig.] YOU are a Physician in Edinburgh?—Yes.

2000. Are you Secretary to the College of Physicians?—I am.

2001. And do you lecture on the practice of medicine?—I do.

2002. Are you of opinion that chemists and druggists at present are not sufficiently educated?—I think so, decidedly.

2003. Are you aware of the course of education which has been introduced by the Pharmaceutical Society?—Yes, I have paid some attention to it.

2004. Do you think that that course is a judicious one, and likely to be of use?—I think it would improve the character of the pharmaceutical chemists who availed themselves of it to a considerable extent.

2005. Will you state generally your opinion with regard to this Bill, as to whether you think it would effect the objects contemplated?—I have some doubt whether the Bill would effect the objects intended by it; for this reason, that I think the course of education required would add to the expense which a man wishing to start as a druggist would require; and I think that in the smaller towns of Scotland there is not sufficient encouragement for a man to lay out more in education than he at present does; and that, in consequence of that, many of those who are tolerably well qualified at present, would shut their shops, as they could not register themselves as pharmaceutical chemists, and their place would be taken by an inferior class; I believe it would improve the character of chemists in larger towns very considerably where there is less need of that improvement.

2006. Do you think that the public is tolerably well supplied with drugs under the existing system?—I think the great injury that is done to the public is more by fraud than by ignorance, and I think that fact is brought out by a report of a Committee of the College of Physicians, who examined into the state of the drugs which were offered for sale in various of the chemists' and druggists' shops. The report of that Committee, I think, showed that there was more adulteration in order that the chemists might be enabled to sell medicine at a cheap rate than from ignorance; for example, in the case of laudanum, which ought, by the Pharmacopœia,



to contain a certain proportion of opium, it was found that the proportion had been very much diminished, in order that it might be sold at a lower price.

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2007. Are you aware that it is the practice of these inferior druggists to purchase adulterated drugs at a cheap rate, and afterwards further to adulterate them themselves?—I have had no opportunity of knowing that, but I believe many of them make up themselves the simpler medicines which they can more easily compound.

2008. In an adulterated form?—In an adulterated form.

2009. Then improving the education of the chemists would not remedy that evil?—No, it would not remedy the evil, unless you could improve their morality at the same time. They are just in the same position as grocers; and recent investigations into the articles sold by them, show that you can buy nothing at a grocer's shop that is not adulterated; that is not the result of ignorance, but of fraud. Upon the same subject another difficulty occurs to me. I question how far an examination would secure the knowledge that is required of a practical druggist; it is very right to examine a medical man or a surgeon as to the extent of his knowledge, much of which is more purely mental, but a great deal of the information that a druggist should acquire is of a different and more practical character, and I question how far that could be brought out in examination.

2010. *Chairman.*] Supposing the candidate were asked first whether he had served an apprenticeship or a term of study of practical instruction with a druggist, would not that be a great advantage?—Yes.

2011. Then secondly, if he were shown a variety of drugs, and asked to tell what they are, and to describe the difference between the good and the bad drugs; to point out the kind of adulterations which occasionally prevail, and how to detect them; to explain the chemical composition of substances, and the decomposition on mixing them together, and to give a general account of any preparations in the pharmacopœia, would not that furnish some criterion as to the mode in which he had studied his business?—That is much the kind of examination as that which the candidate for a surgical diploma undergoes.

2012. Do you not think that such an examination is better than none for a pharmaceutical chemist?—Decidedly.

2013. Then at present, there being no examination at all for those who practise simply as pharmaceutical chemists, do you not think that a Bill, the tendency of which would be to send a great number of them to a Board of Examiners, would be an advantage as far as that goes?—Decidedly; and I have so stated. I think as far as I gathered from the examination of Dr. Renton, it was supposed that we were offering an uncompromising opposition to this Bill; we are only here to suggest what we consider changes essentially necessary in it; we are not here to oppose the Bill *in toto*.

2014. Then you, as the representative of the College, express a general approval of the objects of the Bill?—I think the first resolution of the College states that they see no objection to its general objects.

2015. At the time the Committee examined the shops, and came to the conclusion that the adulteration resulted rather from fraud than from ignorance, did they take the opportunity of examining the chemists themselves, so as to ascertain whether they really did understand their business?—They could not well do that without involving themselves; because to do so would have been at once to declare something which might have rendered them liable to an action for damages; they did not tell the parties from whom they were purchased the state of the drugs.

2016. Then how were you led to form the opinion that it was fraud and not ignorance?—If, for example, it was found that a chemist did not sell laudanum of sufficient strength, an inquiry was easily made as to whether that laudanum was purchased or made up by himself, and that could be done without involving the College in any responsibility.

2017. If it was made by them, did you infer that it was made up erroneously from fraud?—I should suppose so. I do not think there would be any difficulty in making laudanum, provided the opium were pure, and the directions of the Pharmacopœia attended to.

2018. *Sir W. G. Craig.*] What course did you take when you found adulterated drugs?—None; because at that time it was thought that our powers were limited to a small portion of Edinburgh, but since that time we have had a legal opinion that they are not

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2019. What power have you of acting in such a case?—Our charter authorizes us to visit whenever we choose all the druggists' shops in Edinburgh, and to examine into the quality of their drugs, along with one of the magistrates of Edinburgh; and if we find them adulterated, we can destroy the drugs. Then we have also the power of examining all parties opening apothecaries' shops within the city and liberties of Edinburgh.

2020. Do you exercise that power?—No; we have not exercised it for many years; first, for the reason I have already stated among others, that we did not think our power extended over the whole city, and that it was of no use to exercise it over a few streets of the city; but now we have obtained a legal opinion that our power does extend over the whole city; and second, because we are opinion that free competition does more to secure good articles than any arbitrary enactments.

2021. Does this power of examination comprise the power of prohibiting those who act as chemists and druggists, without passing an examination?—I presume so.

2022. Is there any penalty which you could inflict, or must you proceed by injunction?—By injunction, I presume; there is no penalty mentioned.

2023. How long have you had that charter?—It was granted in 1681.

2024. And it has been in abeyance so far as chemists and druggists have been concerned, has it not?—No, it has occasionally been exercised, I believe.

2025. In your recollection?—No.

2026. I suppose at the time the charter was conferred, it was presumed that there was a necessity for an examination of chemists and druggists?—I presume so.

2027. Do you agree in that opinion?—I think it is always advisable to have men as well qualified as possible.

2028. Have not the medical men enough to do to attend to their own branch of the profession, without descending to all the minutiae of practical pharmacy?—I should think so.

2029. Then do you not think it better to entrust this power of examination, which you have possessed, but not exercised, for so many years, to the hands of those who are more directly in the habit of practising pharmacy?—There are certain fellows of our college who, from our position, especially attend to the subject; for example, the professor of materia medica in the University is a fellow of our college; and from the fact of our having always issued the pharmacopœia, we have fellows of the college who direct particular attention to these matters; and though the general run of medical men may not be supposed to be acquainted with the minutiae of pharmacy, there will always be, in all probability, in the college some who are acquainted with them.

2030. But you have never exercised the power you could have exercised?—From the first reason I have stated; and secondly, from our doubt as to whether that was the best way to promote the improvement of pharmacy. We believe we have done a great deal to promote the progress of pharmacy by providing a museum where you can see the drugs absolutely pure; by issuing a materia medica, which keeps pace with every progress in pharmacy and chemistry; and by furnishing in that pharmacopœia tests for detecting the purity or adulteration of drugs; the college have confined themselves to that. There is a strong opinion in our college that all restrictions such as those in this Bill are either inoperative, or that they will not be successful.

2031. Is that museum, of which you speak, continually visited by chemists and druggists for the purpose of their improvement?—I do not think they avail themselves much of the advantages it offers.

2032. Sir *W. G. Craig*.] You approve of this Bill generally, do you not, provided it is not made compulsory and restrictive?—I think its object is good, if it succeeds in effecting it.

2033. *Chairman*.] In reference to these tests which you point out in the pharmacopœia, do you not think an educated chemist and druggist is more competent to use the test than one who has merely obtained his education from the ordinary practical routine of the shop?—It depends on what the education comprises. I think a man who has worked among the things himself would be generally able to detect the impurity of drugs better than a man who has not, and I would give an example of that. I happened a few months ago to meet with a man who was not a chemist and druggist at all, but who had acted in a large merchant's office in Liverpool, who imported from abroad a number of foreign drugs. The man showed me his own way in detecting the impurity of drugs; he  
knew



knew nothing of medicine, nothing but the drugs which came through his hands ; and I do not suppose that a chemist and druggist could have detected the adulteration of those drugs more readily than that man could.

2034. Would that kind of knowledge of the physical properties and the general appearance of drugs answer the purpose where chemical tests of a delicate nature were required ?—Most decidedly not.

2035. For example, in testing the strength of hydrocyanic acid and the purity of various chemical preparations ?—Decidedly not ; and it would be an advantage if in addition he possessed sufficient education to enable him to use the most delicate tests.

2036. In the case of tincture of opium, you inferred that because that tincture did not contain the proper quantity of extractive matter fraud was committed ; what evidence is there that the opium was not adulterated at the time the chemist purchased it ?—I think I said supposing the opium was pure.

2037. Are you not aware that opium is greatly adulterated ?—I am aware of it.

2038. And the quantity of extractive matter it would yield must be affected by that circumstance ?—Certainly.

2039. Then, would a person who had no chemical information whatever be able to form a correct judgment of the quality of the opium ?—It depends on circumstances ; it is a question I am scarcely competent to answer. I may state, that any objections we entertained to the Bill have been considerably modified by understanding the alterations that are proposed to be made in it.

2040. Sir *W. G. Craig*.] What further amendments would now satisfy the College of Physicians ?—I think there are three points which we may insist pretty strongly upon. First, I think it would be exceedingly satisfactory to the Fellows of the college if some means were taken to secure us against this new class of pharmaceutical chemists ever rising into medical practitioners ; there is a dread of it. How far that can be done by legislative enactment, it is not for me to say. Then, in the second place, I think that, considering the strong interest the college have always taken, and the rights they have, in regard to pharmacy, they ought to be directly represented in any body that may have charge of pharmacy in Scotland.

2041. Sir *W. Craig*.] Would their being allowed to send a single representative to the Board of Examiners satisfy that body ?—That would depend on the number of examiners. I do not think they want more than an opportunity of exercising their due influence.

2042. *Chairman*.] You say the college takes a great interest in this matter, but at the same time that interest has not been sufficient to induce them to act in it ; would it not be sufficient if they found that other people took the trouble of performing the duty without giving the college the trouble of doing that which they have neglected to do for so many years ?—Your question assumes that the college have not acted.

2043. I mean in regard to examination ?—The college are at issue with the promoters of the Bill in the opinion that that is the best way for the improvement of pharmacy ; I think they have acted more effectually in what they have done.

2044. Suppose the college continue to act in the manner in which they have hitherto acted, and that they leave that process, which they consider of small importance, in the hands of those who entertain a different opinion, would it not be satisfactory to the college to permit the chemists to proceed in what they consider the best means of improving the qualification, and that the college shall continue in their present course ?—No, because the moment a Bill such as this becomes law, examination becomes the legal test of qualification ; it immediately exalts it into a matter of very high importance ; it is a very different thing when it is matter of opinion.

2045. Then you think the means which would be taken through the medium of this Bill would interfere with the other means the college has been adopting to improve the qualification in pharmacy without examination ?—I think it must be perfectly evident, as the College of Physicians take the lead with regard to pharmacy in Scotland, and that if a new body were constituted with the powers that this Bill proposes to confer upon them, the College would be thrown into a very secondary place indeed with regard to the progress of pharmacy.

2046. Do you consider that by this Bill any power would be given to the Pharmaceutical Society to interfere with the pharmacopœia ?—I see nothing mentioned in regard to the pharmacopœia in the Bill.

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2047. Then all that power would still remain in the hands of the college?—Yes, I suppose so.

2048. Would it not be probable that the college might obtain some useful assistance from practical men, if the education of pharmaceutical chemists were improved?—Most decidedly; and therefore the college do not wish to dictate who the Board shall be, but they only wish that they shall have some representation in it.

2049. Do the college wish to interfere with the jurisdiction of the pharmaceutical body?—I do not precisely understand what jurisdiction is implied.

2050. That being a corporation established for the pharmaceutical chemists in the same manner as your corporation is established for physicians, would you, for example, submit to have a representative and delegate of another body put upon your Board?—I think the College of Physicians would shrink altogether from interfering with the internal regulations of any such proposed body; at the same time I cannot regard the preparation of medicines and the operations of the druggist as a matter solely and entirely concerning himself. I think the college have a great and direct interest in the matter, and therefore I would not look upon it as an improper interference on their part to take a proper share in the examination.

2051. Do you think that a physician who has spent thirty or forty years in attending patients, and in reading medical works and giving lectures, is more or less likely to be acquainted with the manipulation of drugs and improvements in chemistry, than a chemist who has devoted himself wholly to it?—There are fellows in our college particularly well versed in these matters. As regards the general run of physicians, I do not think they are practically intimately conversant with the minutiae of a druggist's profession.

2052. Then as a body you would admit that chemists are more practically acquainted with chemistry and pharmacy than the physicians?—It is to be assumed that they are so.

2053. Then is it not the case, in your opinion, that having a corporation established for the regulation of their affairs, they are entitled to maintain the integrity of that corporation under their own jurisdiction without having delegates sent in from another body?—I think when that body has, by a charter for so long a period, had certain powers entrusted to them, even though they may not have carried them out to the fullest extent, they have some claim to hold their position; they do not ask for a very strong position, but a position in reference to any new body that may be constituted for the same purpose.

2054. Sir W. G. Craig.] You regard the formation of this society, in fact, as an encroachment upon the privileges of physicians, and desire to retain your status in regard to pharmacy to a certain extent?—To a certain extent.

2055. Have you any other observation to make in addition to what you have already stated?—I think nothing occurs to me further than the absolute necessity, if possible, of introducing some clause into the Bill, to prevent this body from practising at all across the counter?

2056. It has been stated by some witnesses that the absolute prevention of that would be impossible?—I should not wish to prevent it under penalties.

2057. Is not the definition clause, coupled with the fact that no medical man can belong to the body, a circumstance which will tend to diminish the practice?—As I read the definition clause it seemed to be a restriction upon medical men more than on pharmaceutical chemists; as I have heard it explained, however, it alters that opinion, but I suspect that the majority of men, not learned in the law, would form a different impression of that interpretation clause. I had an idea that it was a boon conferred upon the pharmaceutical chemists, keeping out from them medical men, and that was the general impression, in Edinburgh, of the tendency of that clause.

2058. *Chairman.*] We have had some evidence given respecting the Apothecaries' Society, and their licentiates having become medical practitioners, and that this body being a body established for wholly pharmaceutical purposes, it was requisite to introduce some clause which should prevent a recurrence of abuse by restraining them strictly to pharmacy; do you not think the provisions alluded to have a tendency that way?—They have a decided tendency that way. May I ask whether there would be any objection to a direct clause prohibiting any one who is licensed under the Act as a pharmaceutical chemist from prescribing for patients?

2059. Could



2059. Could you suggest any means by which the term "prescribing" should be defined; suppose a customer, in buying an ounce of rhubarb, says, "What is rhubarb good for; how much is the dose for a child six years old"?—That is scarcely prescribing, but that is a different case from one in which a person comes in and states his symptoms across the counter, and receives medicine.

2060. If you could only point out how it could be done, without restricting the chemist from giving an opinion to a degree which would be injurious to the public, it would be information exceedingly valuable to the Committee?—I fully see the difficulties, but I was requested by the president of the College to bring it strongly before the Committee.

2061-2. Do you press that objection?—The president of the college was particularly anxious that that objection should receive its due weight.

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*Jovis, 29<sup>o</sup> die Aprilis, 1852.*

MEMBERS PRESENT.

Mr. Jacob Bell.  
Mr. Jackson.  
Mr. Deedes.  
Mr. Ewart.

Mr. Wakley.  
Mr. Hindley.  
Mr. Farrer.  
Mr. Wyld.

JACOB BELL, Esq., IN THE CHAIR.

*George Webster, Esq., M.D., called in; and Examined.*

2063. *Chairman.*] I BELIEVE that you have some objections to the Pharmacy Bill?—I have some objections to it.

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2064. Will you state to the Committee the ground of those objections?—My first objection is to the incorporation of a new society, which might, I think, be joined advantageously with a society already in existence—the Apothecaries' Society.

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2065. Do you object to the education of chemists and druggists?—I do not.

2066. In what manner do you think that the education of chemists and druggists in chemistry, pharmacy, materia medica, and botany, could prove injurious to the medical profession, and to the public?—I think it would very much have a tendency to raise them to the rank of medical practitioners.

2067. Then as you say you are of opinion that education, abstractedly, would be desirable, but that the particular kind of education which I have described, namely, an education in chemistry, pharmacy, materia medica, and botany, would tend to raise chemists into medical practitioners, what kind of education is it that you think desirable?—I see that there is the word "toxicology" introduced here, and "materia medica," and if you take "materia medica" in the large sense of the term, you will in fact be so far educating them as medical men.

2068. Did you not know that the word "toxicology" had been agreed to be struck out of the Bill, in compliance with the wishes of the Society of Apothecaries?—I was not aware of it.

2069. Do you read the "Medical Times"?—No, I have not chanced to see the last number of the "Medical Times," nor do I generally see it.

2070. Will you look at this paragraph, which appeared in the "Medical Times" a week before you published a letter in the "Lancet," (referring to a passage contained in the "Medical Times" of the 10th of April 1852)?—(*The Witness, after reading the passage*), I consider this so far good.

2071. Will you read the paragraph, and state whether that in any degree removes the objections which you have raised to the Bill?—"The course of education defined in the Bill is limited to those subjects which strictly belong to the department of chemistry and pharmacy. Even 'toxicology' is to be expunged, at the desire of the Society of Apothecaries, to remove the possibility of the suspicion that the term is used in its extended sense, to include the medical treatment of cases of poisoning. The term 'chemistry' will comprise all that was intended, namely, the detection of poisons, and the chemical action of antidotes." I think that is a material amendment in the Bill.

2072. I believe you are the author of a letter which appeared in the "Lancet"

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of the 24th April?—Yes, and also of one in the “Provincial Journal” which appears to-day.

2073. In that article you state, “Why in the classics, in dispensing and prescriptions, in botany, in chemistry, in materia medica, in pharmacy, and in toxicology, which last word may include almost anything pertaining to the practice of medicine? I am rather surprised, indeed, that midwifery was not also included, which some chemists now boldly assume the right of practising?”—Yes; that is written ironically.

2074. Assuming the statement to which I have just called your attention to be correct, you probably would not have made that remark?—Certainly not, as regards toxicology.

2075. You state in this article in the “Lancet,” “I do not for a moment mean to charge the more respectable houses in London and in the larger towns with resorting to such dangerous practices.” I presume you allude to the practice of prescribing without possessing any medical qualification?—Certainly; counter practice, and even visiting patients at their own houses.

2076. May we infer from that, that the better educated and more intelligent chemists are less in the habit of transgressing than those who have had very little education at all?—I think it depends more upon the circumstances of the person who is the chemist, whether he is a large dispensing and vending chemist, or whether he is a chemist established in a small country town with a small income; in the latter case he is sure to be consulted by the poor, and he will lend himself to practising over the counter.

2077. Is it your opinion that counter practice by chemists and druggists prevails to a very great extent?—Yes, to a very great extent.

2078. Do you think that practice is general throughout the country?—Yes, I believe it is.

2079. And do you think it produces serious evils?—Most serious evils.

2080. Mr. Ewart.] Do you think it more likely that that practice would be followed by uneducated or imperfectly educated men, than by men of a superior education?—I have stated that it is rather the circumstances and position in which a man may be placed, than his amount of knowledge, that would restrain him.

2081. *Cæteris paribus*, which would be more likely to carry on that practice, the perfectly or imperfectly educated chemist?—I doubt whether you could restrain him in either case.

2082. We have had evidence before us to the effect that if they were more perfectly educated, they would be aware of and would observe the distinctions between medical men and themselves; is that your opinion?—It is not my opinion that it would be so.

2083. *Chairman*.] You say that evil exists to a great extent now?—Yes.

2084. And that the education of pharmaceutical chemists is desirable?—To a certain extent, I think it is.

2085. You have stated that the education proposed by this Bill is in your opinion calculated to increase the evil; will you state to the Committee what kind of education a pharmaceutical chemist could have that would have a beneficial instead of the injurious tendency you describe?—From the tenor of my answers, you must see that in my opinion it is not the amount of education exactly that would decide the point.

2086. But the elevation of their position?—It is rather the circumstances in which the persons are placed; I do not know that I should even object to the course of education which is pointed out in the Bill, if it were fairly guarded by clauses preventing chemists from practising the medical profession.

2087. Have you observed in the Bill a clause which states that the term “pharmaceutical chemist” means a dispenser of medical prescriptions and vendor of medicines, who is not a member of the medical profession; thus for the first time stating in an Act of Parliament that the medical qualification is not comprised in the qualification of a pharmaceutical chemist?—Yes; but I do not believe that that would have any effect upon the public, especially upon the lower orders of the public; I think the term “pharmaceutical chemist” will entirely puzzle the public—even the higher orders of the public; I believe they will think it is something which qualifies men for practising medicine, rather than otherwise.

2088. Will you mention the safeguards you would recommend?—Yes; I would recommend penalties, to prevent illegal practice; I would recommend that stringent provisions should be introduced into the Bill, to prevent chemists and druggists from assuming and performing the functions of medical men.

2089. Would



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2089. Would you also recommend penalties, to prevent ignorant persons from selling medicines and dispensing prescriptions?—Yes, I would.

2090. Do you think that that ought to be done?—Yes, I think that ought to go *pari passu* with the other measures of the Bill.

2091. Do you think that, with reference to dispensing prescriptions and vending strong medicines, the safety of the public requires that chemists should be educated men?—I do not think a very great amount of education is necessary, because I believe that the cases of poisoning that occur now and then, arise entirely from accident and mistake, and not from ignorance; I think there are very few accidents of that kind that occur from ignorance; some shop-boy, or some careless assistant perhaps, or even sometimes the head of the establishment, goes, and in the hurry of the moment puts his hand upon the wrong bottle; I think that is the greatest source of the accidents that occur.

2092. Do you think the same principle is applicable to the prohibition of ignorant persons from selling and dispensing medicines, that is applicable to the other case?—Yes, I do; I would have the chemists educated for whatever their functions are.

2093. Consequently you think that every person who assumes a name implying a qualification should be educated for that purpose?—Yes.

2094. And you think it should be distinctly understood that he is educated for that purpose, and for no other?—Certainly.

2095. If that were expressed in this Bill, would that, in some degree, remove your objection to the measure?—No doubt it would, and I think it would remove the objection of a large class of the medical body.

2096. But seeing that the House of Commons is not disposed (as we know from evidence which it is easy to produce) to restrict the small shopkeepers from keeping and selling drugs, do you think that the amount of restriction which the House of Commons would agree to would be sufficient in the other case. The House of Commons would not give an actual prohibition to the sale of drugs by unqualified persons, and, so far as I can judge, the House is indisposed to give an actual prohibition to a chemist from giving an opinion across the counter. Do you think that if the same amount of restriction were adopted in the one case as in the other, that that would be as much as you would require?—I should require or like to see illegal practice, in both cases, put down, for the safety of the public. I think it is a great defect in the Bill that it does not attempt to do so.

2097. Do you object to the management of the chemists' affairs by the chemists themselves?—I see no objection to the chemists managing their own affairs. I should certainly have preferred seeing the Apothecaries' Society taking the superintendence of pharmacy and chemistry, which was their original function, to the creation of a new corporation, at all events, with Parliamentary powers; and I should prefer seeing the Apothecaries' Society divested of what may be called their medical functions, which I think they very shortly will be.

2098. I believe you are a licentiate of the Apothecaries' Company?—I am not.

2099. I thought you were in general practice?—So I am; but I held my surgical diploma before 1815.

2100. I believe the majority of medical practitioners in general practice are licentiates of Apothecaries' Hall, and members of the College of Surgeons, are they not?—The majority are, but a great many are not.

2101. That is to say, there are these two corporations to which they can belong if they think proper?—Yes.

2102. And to which they do belong when they take a complete qualification?—Yes, from the unfortunate want of inclination and power in the London College of Surgeons to examine in pharmacy and chemistry, and the branches thereto belonging, which the Edinburgh and Dublin Colleges do.

2103. Has not your body within the last few years endeavoured to obtain a new corporation for yourselves?—You mean the general practitioners?

2104. Yes?—Having been denied their rights in what they consider their own college, the College of Surgeons, nothing remained for them but to apply for that which would give them certain rights and privileges which they do not now possess.

2105. Do you think it is fair for the general practitioners, who have already two corporations, to apply for a third, and to deny to the chemists the right to have one?—They do not apply for a third; an arrangement now exists that the Apothecaries' Society, *quoad* their functions regarding medical men, shall cease

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the moment a charter of incorporation is granted to the physicians and surgeons in general practice.

2106. Then the same result would be obtained in the event of the Pharmaceutical Society being confirmed as a pharmaceutical body, and the Society of Apothecaries merging into the medical corporation, which you desire?—It might.

2107. Would not that kind of arrangement answer the purpose of all parties, better than a prohibition to the chemists to introduce the improvement they desire, and the creation of a third medical corporation for those members of the profession who already have two?—I do not object to the pharmaceutical chemists having the management of their own affairs, and even to their having a charter of incorporation, as far as their own concerns are really affected.

2108. How could they have the management of their own affairs, if they are turned over to the Society of Apothecaries for examination in the mode you suggest?—I mean, they should become members and part and parcel of the society, and have the election of their own officers; they should become, in fact, one body.

2109. Is it not the fact that the Society of Apothecaries, who were originally the dispensers of medicine merely, have become a medical body entirely; and have you not stated it as an objection to the Pharmaceutical Society, that you fear it will do the same thing?—The Society of Apothecaries is not altogether a medical body.

2110. They all practise as medical practitioners?—You are speaking of the incorporation, I understand.

2111. Yes?—Very well; they are sellers of medicine at this moment, and superintend the quality of drugs of certain medical men, their own members and licentiates practising in London, and within seven miles of it, I think.

2112. In the event of the amalgamation of the chemists with the apothecaries, do you not think that that would have a greater tendency to convert the chemists into medical practitioners than the plan which is proposed by this Bill, namely, the creation and the confirmation of a body which excludes medical qualification altogether?—I do not think so, if their own functions were properly guarded by stringent clauses, preventing their assuming the character of medical men.

2113. Supposing this amalgamation were to take place as you suggest, how would you provide for the case of those apothecaries who are at present qualified to practise as medical men? Would you make two classes of practitioners in one body corporate?—Supposing the amalgamation to take place, I am supposing also that the medical functions of the Apothecaries' Society would cease entirely.

2114. Each member of the society having certain functions to exercise, according to your present statement, either these individuals must sink their present medical functions or must be excluded from the society?—You have used the word "member;" now a member of the Apothecaries' Society need not necessarily, I believe, be a licentiate of the Apothecaries' Society; there are members now who were never examined; they merely belong to the trading incorporation.

2115. You would then sever the licentiates altogether?—Entirely.

2116. But you are aware that the members have a vested interest in the capital of the Apothecaries' Society?—Yes, and I would let them retain that as long as they think proper.

2117. Would you join the chemists on to them?—Yes.

2118. By what Act of Parliament could you compel persons, having property in an institution of that sort, to hand over a share of their property to others, who would be considered interlopers?—I would not so compel them; they possess other functions, besides being merely a trading corporation; by the Act of James the First, they have certain chemical (I may call them), and it may be pharmaceutical, functions granted to them, by which they examine all those who are to vend and sell medicines.

2119. But if you are to throw chemists into that body, how could you separate the functions?—By a new Act of Parliament, somewhat similar perhaps to this Bill.

2120. If you object to any portion of the arrangement, except upon the ground that in your opinion there ought not to be two distinct bodies, and you wish to amalgamate them, and at the same time to create a new body, in what respect would you attain your object by sending the chemists to that body?—I think it would be classing men properly together, who, as "members" of the Apothecaries' Society, are merely vendors of medicines, and superintenders of chemistry and pharmacy; and on the other hand, the creation of a new incorporation for physicians and surgeons in general practice would also be giving them their proper status; but these are matters of detail which I think might easily be arranged.

2121. I am



2121. I am endeavouring to come to some practical interpretation of your views which could be acted on by this Committee, if possible; are you aware of the fact, that the principal cause which led to the union of the chemists and druggists was their opposition to the plan of placing them under the Society of Apothecaries for examination, and that they united as a body throughout the kingdom to resist it?—I am aware that the opposition began when a Bill was introduced into Parliament by Mr. Hawes, which was to educate chemists and prevent their acting as medical men.

2122. Do you not know that that was one of the most objectionable parts of the Bill, so far as the chemists were concerned?—I thought it was simply because a superintendence of chemists and druggists was to have taken place under that Act.

2123. Under the apothecaries?—I was not aware that it was to be under the apothecaries.

2124. Then seeing that that is the fact, which has been proved in evidence before this Committee, do you not think we should re-open the difficulties if we proposed to do that which 11 years ago the chemists would not listen to for a moment?—They may have been wrong in their view.

2125. Mr. Wakley.] Have you reduced your objections to the Bill to writing?—I have some memorandums here.

2126. Succinctly and methodically laid down?—Hastily laid down, I should say, supposing I should be examined upon them; I should have no objection to go through them; but previous to doing so, to show that I have never objected to chemists and druggists being properly educated, I would take the liberty of reading to you two clauses from a document which, as president of the British Medical Association, came under my notice and sanction some years ago. The 9th clause in the "Outlines of a Plan of Medical Reform" reads thus: "That no member of the British Faculty of Medicine" (then contemplated) "shall be permitted to sell drugs or to compound medicines, unless prescribed by himself, or by others in consultation with him, and for his own patient or patients, except in rural districts, and by special license from the senates, also contemplated." The 11th clause is: "That in future all persons proposing to exercise the calling of chemist and druggist, or compounders and sellers of medicines, shall undergo a suitable examination before a Board appointed by the general senate, and be licensed accordingly, exception being made of persons already so engaged."

2127. At what time was that?—That is signed "George Webster, M.D., President," and "C. H. Rogers Harrison, Honorary Secretary. July 16, 1839."

2128. Then four years after that, a charter of incorporation was granted to the Pharmaceutical Society of London, was it not?—Yes, and I have reason to believe that this was the true cause of the agitation which ensued among the chemists and druggists.

2129. The repeal or abrogation of that charter not being contemplated, but this Bill being ingrafted upon that charter, and giving to the society additional powers, will you be kind enough to state as briefly as possible what you deem to be the evils that will arise to the medical profession if the additional powers contemplated by this Bill are granted?—The chief objection to the Bill is, that it will tend to perpetuate and continue to increase the amount of illegal practice of medicine.

2130. Chairman.] You state that as your opinion?—As my opinion, and as a sequence from facts which are already well known. It is notorious that counter-practice is carried on to a great extent by the great majority of chemists, and that not a few even visit patients at their own houses. With more education, I believe that such persons would consider themselves better qualified to give advice, and treat diseases, though utterly ignorant of the nature and treatment of such diseases; and the public, seeing a showy diploma exhibited in chemists' shops and windows, will be deceived into a belief that it is a proof of medical qualification. This has already happened with the present flashy, so-called diploma of the Pharmaceutical Society. I think the term "pharmaceutical chemist" will greatly puzzle the public. "Dispensing chemist," or simply "chemist," would be better.

2131. That is your first objection?—That is the first objection, and a great objection I think it is.

2132. Now will you state your next objection?—Another objection is, that the bye-laws ought not only to be approved by a general meeting, as mentioned in clause 2, but also by some high legal authority, or by Her Majesty's Government.

2133. It is proposed to insert that provision; the Secretary of State is to do it?—I am very glad to hear it. Another objection is, as to the composition

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of the Examining Board. I should say, it ought not to be chosen exclusively from the Pharmaceutical Society.

2134. I may state that that is not intended. It is in contemplation to appoint professors of materia medica, botany, or chemistry, as the case may be, in addition to a certain number of dispensing chemists; would that constitution of the Board meet your view?—That would be a great improvement.

2135. It would have been impossible to introduce a very stringent examination on the voluntary principle, as it would frighten away the very parties it was desirable to induce to come?—At first, there ought not to be a very stringent examination; but I would make the examination compulsory on all, as I have stated. I have no desire of having one part of a business educated, and another not.

2136. Will you proceed with your objections?—Another objection. I would make it to the voting by proxy, and not by voting papers.

2137. I do not know whether you were here yesterday, when it was stated in evidence that that was altered; that a clause is prepared by which it is provided that voting papers be sent to every member?—I am glad to hear it; I should think that was sufficient; I think in all corporate bodies it ought to be so, to prevent the effects of irresponsible power; with me it would be a question also whether the Bill should extend to Scotland; I think the authorities in Scotland are perfectly competent to manage these matters.

2138. Do you not think parties in Scotland are competent to protect themselves against the invasion of any Bill which might refer to them; and if they are satisfied, do you think the English practitioners would have any right to complain?—Perhaps not; I should object also to widows of pharmaceutical chemists, or their executors or administrators, being recognized by the Bill, as they are in clause 15.

2139. Do you not think that the condition, that their shops must be managed by a qualified person, removes the objection; it not being in contemplation at all that the widow should be the chemist, but that there should be a qualified chemist, she only retaining the pecuniary interest in the shop?—To some extent that would be a safeguard; but we know an assistant may have no particular interest in the business; he may be very careless, he might even be malicious, and might make mistakes wilfully, to injure, if he took offence; moreover, there is no responsibility whatever on widows and executors; it is the first time I ever heard of such a clause being introduced into an Act of Parliament.

2140. Would not that apply equally to assistants who have masters over them?—Certainly; but masters are on the spot to superintend, while a widow or executor is supposed to be perfectly ignorant of these matters.

2141. Do you not think it proper to protect the interests of a widow, who might be left with nothing in the world but a business producing a small income?—I cannot enter into that; I presume the widows of chemists must take their chance with the widows in other trades; and I think the general safety of the public is of much more importance than even the welfare of poor widows.

2142. Is it not often the case that the widow of a general practitioner makes an arrangement with a medical practitioner, she having an interest in it?—The widow may be allowed an annual stipend from a person who succeeds to or purchases the right to a business, but it is more frequently that a sum of money is given; but it would be monstrous if a widow or executor were to have the least power or responsibility as to a medical man's business, which you are giving here.

2143. Would there be any objection to the widow having an annual stipend, the amount of which should depend upon the amount received, in which case she would be something like a partner?—It is here said she is to be excepted, I think, in this clause, and to be called a "pharmaceutical chemist."

2144. Probably you think the object might be obtained without that clause, by throwing the responsibility on her superintendent, whoever he might be?—I think the Bill ought not to contemplate any such matter at all. These are matters arranged by executors and widows, and ought by no means to be part of a Bill on so important a measure as this.

2145. Have you gone through your objections to the Bill?—The interpretation clause, it appears to me, if you do not contemplate it yourselves, will prevent all persons, except members of the Pharmaceutical Society, from practising as chemists and druggists.

2146. Is there anything in the Bill whatever which prevents anybody from practising?—Nothing except this interpretation clause.

2147. Have



2147. Have you considered what the nature of the prohibition is, viz., the adoption of the name without any reference to the practice?—There is the penalty.

2148. For the adoption of a name?—Yes; but no one is to be allowed to perform the functions of a chemist and druggist, or to call himself by any name which would indicate in reality what his business is.

2149. You will not find any words to that effect in the Bill; if you look at the 15th clause, in page 6?—It says, “From and after the passing of this Act it shall not be lawful for any person, not being duly registered as a pharmaceutical chemist according to the provisions of this Act (except persons carrying on the said business, at or before the time of the passing of this Act, and except the widows of all pharmaceutical chemists, or their executors or administrators, having in every case the assistance of a person duly qualified under this Act), to assume or use the title of ‘pharmaceutical chemist’ in any part of Great Britain, or to assume or use any other name, title, sign, token, or emblem, implying that he is registered under this Act, or qualified to carry on or exercise the business or calling of a pharmaceutical chemist;” that extends to much more than assuming the title.

2150. If you couple that with the other part of the sentence, I think you will see that it refers to the assumption of a name, implying that the person is qualified to carry on or exercise the business or calling of a pharmaceutical chemist?—It says, “And if any person, except the persons exempted by this Act, not being duly registered under this Act, shall after the passing of this Act assume or use the title of ‘pharmaceutical chemist,’ or shall use, display, or exhibit any name, title, sign, token, or emblem, implying that he is a person registered under this Act, or qualified to carry on or exercise the business or calling of a pharmaceutical chemist, every such person shall forfeit and pay for every such offence a sum not exceeding 5*l.*, nor less than 2*l.*” The interpretation clause says, “The term ‘pharmaceutical chemist,’ used in this Act, shall be construed to include chemist and druggist, dispensing chemist, and every other term denoting a dispenser of medical prescriptions and vendor of medicines, not being a member of the medical profession, or practising under a diploma or license of a medical or surgical corporate body.” Now I do not see what title or name would be left to him. This would make the examination compulsory.

2151. That brings us to your objection, which has led to the opinion that this Bill would increase the practice of chemists and druggists, and you state similar facts are likely to produce similar results, and that the Society of Apothecaries, which was originally a society of dispensers of medicine, has become a society of medical practitioners. Was there ever in any of their charters a provision that the members of that body should not be medical men?—I am not aware that there was, or that there was not; be that as it may, chemists should be prevented from acting as medical practitioners.

2152. Do you not think the addition of a clause, which states distinctly that the members of this body are not to be medical practitioners, does materially alter the facts which existed in comparing them with the facts with reference to the Apothecaries’ Company?—I do not think so, for the public will know nothing about this; they know nothing about Acts of Parliament, and what constitutes a legally qualified man, or a man who assumes the name and acts without qualification. They are perfectly ignorant frequently of whether a man is surgeon, physician, or what he is.

2153. Do you not think that arises from the fact, that there are frequently in the same street two shops, one being that of a chemist, and one that of a medical practitioner, there being no distinction between the appearance of the two shops, and that the public go indiscriminately to the one and the other, not knowing the difference?—I believe that to be so, and I should be very glad so far that the same rule of law and equity should be applied to legally-qualified medical men, who should assume the functions of chemists and druggists. I should like to see the clause as to vending of medicines, as stated in the extract from the “*Outlines of a Plan of Medical Reform*,” carried out in any measure of medical reform which may pass; and that it shall be so carried out that the medical man shall not assume the functions of a chemist and druggist. But how has this arisen? Simply because the chemists have assumed the functions of medical men; are frequently consulted by the public, not knowing that they are not qualified; and young men beginning practice are driven, much against their will, and I think much against the respectability of the profession, to commence as chemists and druggists, as well as surgeons and general practitioners. They have a perfect

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right to do so under the present law, but I should be very glad to see it altered. On the other hand, I should be delighted to see that chemists and druggists should be likewise prevented from assuming the functions of medical men.

2154. Do you not think that a Bill of this kind, which recognizes by law the distinction between a chemist and a medical man, by prohibiting the medical man from belonging to the Society of Chemists, would be a step in the direction you desire?—I do not see that it would have the least effect. The medical man, if he thinks proper, can open a shop as a chemist and druggist at this moment; and for aught this Bill does, he may continue to do so, and therefore in practice will do so.

2155. Do you think it would be fair to expect chemists to begin by relinquishing all the little encroachments they have been guilty of, and at the same time to leave the medical men in their present position, of encroaching on the chemists, or do you think there should be a mutual arrangement between the two?—It should be a mutual arrangement; but in these cases you forget that the chemists and druggists are the aggressors.

2156. Were not the apothecaries equally the aggressors on the physicians, when they began to assume the functions of medical men, which led to the Act of 1815?—Very likely; but it would be wrong to repeat such evils; and then there was a great lack of medical practitioners, which is not the case now.

2157. Is it not right to do what we can towards the abatement of those evils?—I do not think it will be an abatement.

2158. Mr. Wakley.] Your objections appear to be very few?—Very few, but weighty.

2159. You fear, in consequence of the chemists and druggists being more highly educated, more confidence might be reposed in them with reference to medical practice?—Yes; I think the chemist himself, having a further knowledge of the applicability of drugs under the head of “*materia medica*,” which is a very large and wide term, would be more apt himself to treat diseases.

2160. I would refer you to clause 11; you are already aware that the word “*toxicology*” is to be excluded; do you not consider it would be a sufficient safeguard if it were put as a proviso at the end of the clause, that the persons so examined, that is, examined before the body named here, should not be examined in the theory and practice of medicine, and in surgery and in midwifery?—I think that is very proper, if there be any intention on the part of the Pharmaceutical Society, with the powers under this Bill, to further encroach on the functions of medical men; I hope they do not contemplate that; but as regards the public, I do not see how that impression could be made on the public mind.

2161. Do you believe that that would be in a great measure a fundamental safeguard against their practising as medical men?—It would be well to introduce it.

2162. Then would it not be a further safeguard, provided that provision or stipulation were also introduced into the diploma, so that the public, when they saw the diploma, would see that the party who had been examined on the subjects named here had not been examined as to his knowledge of the theory and practice of medicine, and as to his knowledge of surgery and the practice of midwifery?—I am afraid in the minds of many persons who consult chemists and druggists it would not have the effect you contemplate; still it would be a safeguard.

2163. You think that the public, if they saw that the parties possessed a diploma, although they had undergone no examination as to their knowledge of the theory and practice of medicine, surgery, and midwifery, would be disposed as now to apply to them for advice?—I think very few would read it; they would see the diploma and certificate, and would never take the trouble to read it.

2164. Will you define as clearly as you can what is the safeguard that you would raise, so as to prevent chemists and druggists from practising medicine at all?—I think restrictive clauses, introducing penalties upon the assumption by persons of functions which do not belong to them, the same as in the Apothecaries’ Society, only allowing conviction to take place before police magistrates on a common information, or before two justices of the peace, would be a safeguard.

2165. You are quite aware now that penalties have been recovered in the County Courts?—Yes, and I think that has had some effect; therefore I believe that a penalty which would be more easily applied would have a still greater effect. I know it has been said, “It is of no use, you cannot stop illegal practices of this kind;” but we may as well say we will have no law, because crime will not cease.

2166. You



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2166. You are aware that great difficulty exists with reference to the point where the line should be drawn?—Yes; I have heard it so stated, but I have some doubts as to the great difficulty.

2167. If a person were to go into the shop of a chemist and druggist, and say, "I have a pain in my stomach; will you be kind enough to give a draught to remove it?" would it be practising medically if the chemist and druggist were to prescribe and give that draught?—It would be practising medically, and assuming responsibility, seeing he would be ignorant of the cause of the pain, and would be more likely to do mischief than good by his remedies.

2168. Is that a thing you would prevent?—I would introduce the same law which governs the *Pharmaciens* on the continent. The Bill is now asking for great powers as regards the education of Pharmacentists, and as regards the Pharmaceutical Society. I think something ought to be given in return; that every safeguard should be applied that is possible to prevent any evil consequences; and it seems to me, that the law which is applied on the continent seems to work very well. I know, when I went into a *Pharmacien's* some time ago, in Paris, and wished for some opiate for myself, I was told that I could not have it, that it was not permitted to be sold. They told me, "We cannot give it you." I said, "I am a physician." They said, "Oh! then if you will write a prescription, we will make it up for you."

2169. You are aware they are in the habit of prescribing, though not to the extent that it is done in England?—I am not aware that they prescribe.

2170. They administer for slight ailments in their own shops, do they not?—I am not aware of it.

2171. I quite agree with you that great evils have resulted from counter-practice, and it is most desirable that a distinct line should be drawn between the practice of medical men and the business of chemists and druggists; but to accomplish that object seems to be a matter of great difficulty, and I have never yet seen a proposition by which it could really be effected. When you state that a stringent measure should be enacted, would you be kind enough to point out its precise nature, because general terms will not do; the Committee would be very glad to consider it?—I will consider the subject, and by studying the detail of the measure, I may probably think of something which might be satisfactory.

2172. Do you not think that this Bill tends to draw a more distinct line between medical practice and the business of chemists and druggists than was ever drawn before by any statute that has been enacted; and I would refer particularly to the registration clause. In that clause you see the medical practitioners under this Bill cannot register; consequently, that if a man be prosecuted, who is a chemist and druggist, for practising medicine, will it not be a very powerful and efficient guide to the court or the judge to be enabled to say, "I see by the statute that a medical man cannot register as a chemist and druggist; therefore, if the defendant in this case has been practising as a medical man, it is only fair to assume he has been practising illegally." Do you not consider that a most important provision, and in fact a very powerful guide to the judge?—I think it would be important as regards the medical profession, and as regards the law of the case, but it would not act extrinsically, I mean on the public; they are not aware of these regulations, and do not understand the nature of the arrangements of the medical profession.

2173. But if the chemist and druggist found that this Bill had the effect of giving a stringency to the definitions of the existing law, do you not think that he would then be more deterred than he has been hitherto, from undertaking medical practice?—I think the clause you point out might do something, but without other clauses I think it would be very inefficient.

2174. You are aware the law is very stringent in protecting medical practice, according to the decisions of the judges?—But the expensiveness of it prevents its applicability in a great measure.

2175. That has been altered in some measure in consequence of the proceedings in the county courts?—If it was still further altered according to the mode I have pointed out, it would still act better.

2176. You also fear the operation of the term "pharmaceutical"?—Yes.

2177. You are aware the Pharmaceutical Society has had its charter now for nine years. Can you point to any particular evil that has resulted from the application of that term in the diplomas of the chemists and druggists?—No; I suppose by this Bill it is contemplated that "pharmaceutical chemist" should be written up over the doors and windows, and it will then come before the public.



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2178. *Chairman.*] Was not that done long before the existence of the Pharmaceutical Society?—Not often; now, they will be almost compelled to do it. I suppose it will be assumed, and if the chemist and druggist think the term is one of credit and respectability he will assume it.

2179. Are not the terms “chemist and druggist,” and “pharmaceutical chemist,” synonymous?—It may be so, but I object to it, as likely to deceive the public.

2180. Could you point out any distinction between the two terms?—“Chemist” applies simply to chemistry.

2181. “Pharmaceutical chemist”—does not that mean “chemist and druggist”?—Yes; but a druggist may be a wholesale druggist. I would remark here, that I think it would be well to have two classes; that you should have the scientific chemist, and the dispensing or vending chemist, and their education and examination ought to be different.

2182. Would not that complicate the measure very much. Do you not think simplicity is greatly to be desired in legislating on a subject attended with so much difficulty as this?—It is generally; but here, I think, the tendency of a high education, such as a scientific chemist ought to possess, would produce a monopoly as regards the selling of medicines, by the expensiveness of the education, and therefore it would prevent chemists and druggists in small towns and in villages from commencing business.

2183. But you stated before that you thought it was highly desirable that persons unqualified as chemists should not be permitted to carry on business at all?—So I say now.

2184. Would not that be making a monopoly?—Certainly; but it would be a monopoly for good; there may be a monopoly for evil as well as for good.

2185. In what respect does this monopoly, which merely prevents a man from assuming a name to which he is not entitled, seem more injurious than a monopoly which absolutely prohibits him from selling salts, senna, rhubarb, &c.; is not this a much more slender monopoly, which simply prohibits persons from deceiving the public, than a monopoly which would prohibit him from doing any single act?—I presume it is contemplated (and I should like to see it) that all who act as chemists and druggists should be examined and licensed.

2186. All who profess to act?—All who in future should do so; and I presume it is the object of the Bill that in future it should be operative upon all.

2187. Would that affect the small shopkeeper in the village, who sells grocery and other things, including drugs?—I would merely make a difference in the examination and education of a scientific chemist and a vending and dispensing chemist; I would not make it too expensive or too extensive.

2188. Are you aware that this Bill will not interfere with the sale of ordinary medicines by grocers, hucksters, and general dealers in small villages, where no druggist could live as a pure druggist?—So far I think it is deficient.

2189. On the one hand, you object to it that it is a monopoly, and on the other hand that it is not a sufficient monopoly?—It may operate in both ways, by allowing ignorant people to do so, and on the other hand by requiring that men much too highly educated for mere vendors of medicine should commence as chemists and druggists; I think I would make a distinction between the two; I stated before that when accidents have occurred, they have not arisen so much from the want of knowledge as from carelessness.

2190. *Mr. Wakley.*] Do you think it would be of advantage, after a certain term of years, to interdict legally qualified practitioners from carrying on business as chemists and druggists, preserving, of course, existing rights?—In thickly-populated districts it would be, but not in very thinly-peopled districts, where it is sometimes convenient for the public that the medical man should now and then supply medicines.

2191. But still he must be interdicted from making display?—Yes, I would entirely do away with anything like open shops.

2192. You would confine him to dispensing medicines for his own patients?—that would be beneficial to the profession at large.

2193. Do you believe that until there is a distinction drawn of that kind, that counter practice can ever be stopped?—I think there may be a difficulty about it, except upon the plan I have pointed out.

2194. *Chairman.*] Would it not be very unfair to have traps laid for the public by the exhibition of two shops, both exactly alike, one containing a doctor and the other a chemist, so as to induce the public to believe there was no difference, and then



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then when a person goes in for the same accommodation in the one as in the other, to subject the owner of the shop to a prosecution if he gave it them; would not that be like entrapping the chemist; as long as these two shops are allowed to be alike, would it not be unfair to carry on those very prosecutions you speak of?—The difference is this: the one assumes functions for which he is not qualified, and the other is fully qualified, and in addition adopts the business of a chemist, which he has a perfect right to do.

2195. I think several of your objections have been met by alterations which it is intended to introduce into this Bill?—The small objections have been obviated.

2196. Are we to understand that you still object to the introduction of education among chemists, in the way proposed?—No; I have distinctly stated that I do not object to their education, but I object to there being no safeguard, seeing you are to increase that education.

2197. Do you think it will be better to leave uneducated persons as they are now, at full liberty to assume the name and functions of chemists, and thus to deceive and injure the public, than to take the middle course of improving their education in the way that is suggested?—I think it would be better to leave matters as they now are, than to educate and raise other men who would be more likely to be consulted as general practitioners, and yet be entirely ignorant of disease.

2198. Are you acquainted with the condition of the body of chemists and druggists throughout the kingdom, with the total want of qualification in a very large number of persons, who assume the name and perform the functions of chemists and druggists?—I believe the poorest class are those in country villages, where groceries are exhibited on the one side and medicines on the other.

2199. You think that abuse better than running the risk of men better educated in chemistry and pharmacy, assuming, on that account, medical functions. Admitting that it is a choice of evils, do you consider the entire ignorance now prevailing with many persons better than the risk of the improved education inducing some of them to practise?—We must remember there are many educated men among chemists now; still the majority advise and prescribe for diseases.

2200. Is it not desirable the public should have an opportunity of knowing which are those educated men, and thus distinguishing them from the others, instead of allowing everybody alike to fit up a shop precisely similar, and thus to confuse the mind of the public?—My great doubt is, whether the public will be able to distinguish.

2201. Will they not, if no person except a qualified chemist is allowed to fit up a shop like a chemist's shop, and assume the name?—If it were known, that is the case.

2202. Are you aware that that is the only object or tendency of this Bill?—I think there are many others.

2203. There is no prohibition to the sale of drugs or the dispensing of medicines, provided the person does not exhibit the emblems and assume the name?—I think you introduce other elements of a much more dangerous tendency. There is one point connected with quackery, the sale of quack medicines, which I am sorry to see chemists carrying on to a great extent.

2204. Do you not think the 21st clause would tend to create a distinction between the ordinary chemist and the patent medicine vendor; that clause states, "that nothing in this Act contained shall extend or be construed to extend to affect or in anywise interfere with the trades, businesses, or occupations of druggists, vendors of drugs or chemicals used for any other than medicinal purposes, or makers, compounders, or vendors of any stamped, patent, or proprietary medicines, or of horse or cattle medicines, but that all such persons respectively shall be entitled to carry on their respective trades, businesses, or occupations, in the same manner, to all intents and purposes, as they respectively might have done in case this Act had never been passed, subject to the condition that, in so doing, no such persons shall assume the name or title of a pharmaceutical chemist, or use, display, or exhibit any name, sign, token, or emblem, implying that he is a person registered under this Act"?—That is, in truth, excepting certain persons from the provisions of this Bill who sell those poisonous compounds, many of them patent, and other medicines, but it does not prevent the educated chemist from doing the same thing.

2205. Do not apothecaries sell patent medicines as well as chemists?—I am not aware of it; very few, if any do.

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2206. I allude to those who keep shops, and have their windows filled with them?—Then it is an evil; I would prevent the sale of patent and quack medicines by every means in the power of the Legislature.

2207. Would not that open out a fresh difficulty with the Chancellor of the Exchequer?—The duty is so small that it would not be worth contending for; I doubt if it amounts to 200,000 *l.* a year; nay, 100,000 *l.*, while the benefit to the public would be incalculable, both as to health and morality.

Marshall Hall, Esq., M.D., called in; and Examined.

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2208. *Chairman.*] YOU have been for many years in practice as a Physician?—For 35 years.

2209. During that period you must have had an opportunity of observing the condition of the chemists in reference to their proficiency in the practice of pharmacy?—Yes.

2210. Do you consider that they are sufficiently educated?—The chemists of course constitute a very large class; I know some very scientific chemists who are fully qualified to prosecute their profession, but many others are not so qualified.

2211. Do you think it desirable that there should be a regular system of education introduced?—I do certainly.

2212. You are aware of the efforts which have been made by the chemists and druggists for several years past to introduce that system, and to obtain a law which should recognise that?—I cannot profess to know much about it, because it has not fallen under my notice particularly; but I am aware that that has been the case.

2213. Have you seen the Pharmacy Bill?—Yes, I have.

2214. Is there anything in that Bill which you consider objectionable?—That is a question which I could not answer, for I have not seen it sufficiently to enable me to form a decided opinion; but I may say, at the same time, that I think its general object is excellent.

2215. You approve in general of the object and tendency of the Bill as a means of improving chemists and druggists?—I entirely approve of the plan of insuring greater science to the pharmaceutical chemists, based on improved education, tested by examination, and attested by a diploma.

2216. Do you see any objection to that examination, and the regulation of the body being under the jurisdiction of the corporation of chemists and druggists themselves?—No, I do not.

2217. Do you think it desirable that there should be a distinction between the several classes in the profession; that is, physicians, surgeons, and pharmacutists?—Certainly.

2218. Do you think that the same privilege which is granted to the physicians and surgeons, of managing their affairs, is due also to the chemists and druggists?—Undoubtedly.

2219. Do you not see in this Bill evidence of a desire on the part of the chemists to avoid embarking in medical practice?—I have already said that I am not prepared to give an opinion with reference to the details of the Bill, not having seen it sufficiently, and not having had it in my possession, though I have cast my eye over it.

2220. Do you think the provision that no medical man can belong to the society, or be placed on the register of the society, is evidence of a disposition to keep the chemists distinct from medical men?—I think it is evidence that they wish to keep the chemists distinct.

2221. Do you think the omission of the word “toxicology,” for the purpose of avoiding any misunderstanding, is further evidence of a disposition on the part of the chemists to keep within due bounds?—Yes.

2222. Do you think it would be possible by any law to introduce a sudden revolution with reference to the abuse of counter practice, and the interference of chemists and medical men respectively, and with the functions of each other?—It may be difficult; but however difficult, I think it ought to be done absolutely, and at once.

2223. But if a diploma should in future be given only to those who have been examined, and who are properly educated, would not that tend to elevate the whole body of persons possessing that diploma?—Yes, I think so; but I think that



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that such diplomas should be of the simplest kind, and should be conferred under a distinct pledge, in honour, on the part of the receiver, not to interfere with the medical office. I would put them upon their honour. I think a diploma may have its abuse as well as its use; to chemists of the higher grades it would be a just right, but by those of the lower it might be displayed, and might delude the ignorant, who might be apt to see in it not only a testimony to chemical, but to medical attainment.

2224. Do you not think the improvement of education to the establishment of a system of ethics among the body, similar to those which exist in other professional bodies, would have a better effect on the minds of the parties concerned, than a simple enactment of stringent penalties, which would subject them to constant prosecution?—Yes, I am no advocate for the infliction of penalties.

2225. You would rather trust to the increased education and intelligence of the men, and consider that when they are elevated in that way, they would be less likely to encroach?—Yes; but I should like that there should be a distinct pledge in honour, without any fear of a court of justice.

2226. Do you think that such a pledge should apply to a case in which a customer asks a chemist a few questions as to the use of a particular drug, or where he states the case, gives the age of the patient, and asks the dose?—I think there is no question of little or great in these cases; it is a matter of principle.

2227. If a patient were to go to a chemist and buy an ounce of jalap, would you deny to the chemist the privilege of stating what quantity should be taken for a dose?—Yes, I would; besides, it is a difficult question to determine what the dose should be, a scruple or half a scruple.

2228. Suppose the patient were to take half an ounce?—I would allow the chemist to say he should not take so much as half an ounce.

2229. Up to certain limits, you would protect the patient from taking an overdose?—Certainly.

2230. What safeguard would the public have if the chemist, who ought to know in some degree the proper dose, is deprived of the power of answering such questions?—I am perfectly aware that that is a very difficult question, but at the same time I think that all persons know pretty well, with regard to what medicine they purchase, what dose they ought to take; it is in fact very difficult to determine very often what dose should be given; in the case of jalap, I think it is a particularly difficult question; and in the case of scammony, it is still more difficult.

2231. Or calomel?—Yes.

2232. Or James's powder?—No; I think in James's powder there is no difficulty; you may take any quantity of that.

2233. Are not all these medicines continually put into medicine chests for family use?—That is going to the root of the matter; query as to the propriety of a medicine chest.

2234. You object to the public keeping medicine chests?—I think if they would limit themselves to rhubarb, and magnesia, and mauna, they should have them. My opinion is, that the chemist should give no judgment about the matter; I think that is the only way of keeping a perfect distinction between medical and chemical practitioners.

2235. Then in the course of education which you think chemists ought to undergo, do you consider that a knowledge of the doses of medicine proper to be given should be excluded?—Entirely.

2236. You think that no chemist should pay the least attention to the quantity required of any medicine?—Yes, I do.

2237. Then supposing it happens that a physician, by some accident, such as the patient talking to him while he is writing his prescription, orders a dose eight times as much as he intended; an ounce instead of a drachm, or some oversight of that sort; do you think that the chemist ought not to be able to discover the error, and call on the physician, and so prevent mischief arising from the mistake?—There can be no question about that.

2238. How could he know that such a mistake had been made, if he did not know what was the proper dose?—Common sense would teach it to a man who had been one or two years in the chemist's shop.

2239. Would common sense teach him what was the proper dose of jalap?—No; and with all the sense I have, I do not always know what the dose of jalap should be; if there is an irritable state of intestine, no jalap should be given.

2240. Is there not an ordinary dose, which, subject to certain exceptions, may

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be considered a safe dose of that as well as other things?—I think jalap is a very rough remedy.

2241. With regard to medicines in general, in a Pharmacopœia, which is issued for the information of chemists, and as a guide, are not the doses stated, to prevent accidents occurring?—Yes, they are stated, but they are stated for the use of the profession; for those to whom the Pharmacopœia belongs, as a guide in practice.

2242. Do you consider that that division of the Pharmacopœia relating to the doses is not addressed to the chemists at all, but to the medical men?—I think that that part of it is addressed to medical persons, and that the composition of medicines is addressed to pharmaceutical persons.

2243. If you found a chemist totally ignorant of the dose of any medicine, would you consider that on that account he was unfit for his business, or would you consider that it was a matter of no consequence?—I think they ought to know what is a poisonous dose.

2244. But how could he find out whether it was a poisonous dose or not?—A person might not know whether it was proper to give 5, 10, or 20 grains of jalap: but yet he might know that he ought not to give half an ounce.

2245. Sometimes extreme doses are given, are they not?—Yes; if any suspicion arose an appeal would be made to the physician.

2246. Is there not in some medicines a great variation in the dose; for instance, laudanum, hemlock, and various opiates?—Yes, the dose must be determined by the prescriber, whoever he may be.

2247. Supposing the chemist had a prescription brought to him, in which there were two or three drachms of laudanum ordered in a dose, do you not think the chemist ought to make an inquiry of the medical man by whom such a dose had been prescribed?—Yes, because he ought to know that that is a poisonous dose.

2248. And the same with respect to muriatic or nitric acid?—It would depend on the dose. I should say that no chemist of integrity or of science would do a wicked or foolish thing.

2249. How would you have him acquire that experience and science except by a regular and systematic course of education; would you have him pick it up in the shop by observation?—It is very difficult; we avoid many sources of danger by that kind of education.

2250. In a majority of cases the chemist has the prescription brought to him, and would not learn the doses from compounding the drugs; one would have expected he would know enough to preserve the patient from accident?—I think that where a remarkable dose is prescribed, it may be well for the chemists to have a communication with the prescriber, to know whether that is the dose intended.

2251. Then the chemist ought, in your opinion, to know enough to be able to distinguish a remarkable dose?—I do not choose to limit the knowledge of any man, because knowledge is always useful; but I am speaking with reference to the present question, whether a chemist ought to be taught the doses of medicine fit to be given; in other words, taught to prescribe.

2252. Do you think that a chemist ought to learn toxicology?—Yes, inasmuch as he ought to know the chemical nature of the medicines he sells, and he ought to be able to detect poisons.

2253. Then do you think that toxicology ought to be included in the curriculum of examination for a chemist?—Chemically, yes; I think, if he is to be properly qualified, it ought.

2254. Do you approve of the omission of the word “toxicology,” in compliance with the wish of the Society of Apothecaries?—Certainly, if it has to do with medical practice.

2255. It never was intended to have to do with medical practice, but do you think that the word “chemist” would include that?—Yes.

2256. Do you think that chemistry, pharmacy, materia medica, and botany, are subjects with which the chemist ought to be acquainted?—Yes.

2257. Then as far as the curriculum of education is concerned, you do not object to it?—Certainly not.

2258. Mr. *Wakley*.] What are your chief objections to the Bill before the House?—I have stated that I have not sufficiently examined the Bill to enable me to answer that question satisfactorily. I have never had it in my hands for any sufficient length of time, though I have run my eyes over it cursorily.

2259. Do you consider that it would be advantageous to the public to provide for the better education of chemists and druggists?—Certainly.

2260. In



2260. In that branch of business to which they belong?—Certainly.

2261. Do you believe it desirable to draw as distinct a line as possible between the business of a chemist and druggist, and the profession of medical practitioners?—Certainly.

2262. Do you consider it wrong for chemists and druggists to practise medicine?—Certainly.

2263. And do you consider it wrong for medical practitioners to act as chemists and druggists?—I think there are localities in which that cannot be avoided.

2264. Do you think it necessary that they should make a display as chemists and druggists, by keeping open shops, exhibiting coloured bottles, and so on?—Certainly not.

2265. And selling things which do not strictly pertain to their business?—Certainly not; but I may say, that I was for nine years a physician in the country, and therefore I happen to know that there are many villages where, if the medical practitioner does not impart drugs to those who require them, the inhabitants must go without them altogether.

2266. Therefore, in such situations, you would not prevent qualified medical practitioners from selling drugs?—No.

2267. Do you consider that it would tend to draw the line much more distinctly than it now exists between the business of chemists and druggists, and the practice of medicine, if at the end of clause 11, which refers to the examination of candidates for the diplomas contemplated by this Act, any provision were introduced to the effect that the candidates should not be examined as to their knowledge of the theory and practice of medicine, surgery, and midwifery?—Yes, I think it would be very useful.

2268. Do you consider that there is any objection to the term “pharmaceutical”?—None at all.

2269. Mr. Wyld.] Would it be possible, do you think, for a medical practitioner in the country entirely to abstain from dispensing drugs?—I think there are localities in which it would be impossible; if they are to be sold at all, they must either be sold by him or by a grocer.

2270. Is it your opinion that it would be impossible to dispense with that body of gentlemen who combine surgery with the dispensation of medicines in some districts of England?—I understand the question to be, whether it would be possible to dispense with those gentlemen who both prescribe and administer medicine; I have always thought that that would be impossible.

2271. You have not seen the Bill?—I never had it in my hand until to-day.

2272. Are you acquainted with the system of Continental education?—I have been very much on the Continent.

2273. Do you know the course of examination adopted for the pharmacien, as he is called?—I do not know all that it comprises.

2274. Are you aware that the examination of a pharmacien is conducted by two physicians and by two pharmaciens?—Yes; I think I know that.

2275. Will you refer to the Bill that is before you. Do you find that it contains any provision that the examining body shall be composed of any other class of gentlemen than pharmaceutical chemists?—I suppose it is not so, but I have not read the Bill over with sufficient care to enable me to say, but I think they are to be examined by pharmacutists.

2276. Chairman.] And medical practitioners?—Yes.

2277. But that will be at the discretion of the council, according to the Bill; by the Bill the council are to appoint the examiners. Do you see any objection to the council having the power of appointing the examiner, it being understood that by the bye-laws they will appoint two or more professors, being medical practitioners, in addition to pharmaceutical chemists?—It is difficult to answer that question. I have much disapproved of the conduct of the councils of some public bodies.

2278. These bye-laws being subject to the revision of the Secretary of State, would not that be a safeguard to the public?—I think that is most important.

2279. Mr. Wyld.] From your great experience, do you think it would be proper that in the constitution of the council of the Pharmaceutical Society there should be others than pharmaceutical chemists on the council, who are to be the examining body for the licentiates of the Pharmaceutical Society?—No; it strikes me that it would not be necessary that others should form part of the council. The

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pharmaceutists have a right to their own council, and the question would be as to the examiners.

2280. Would you allow the examiners to be pharmaceutical chemists only, or would you incorporate with them some other branch of the profession, such as physicians?—I do not see any reason why physicians should be incorporated with them; they might be appointed examiners, but if the question be one of examination on pharmaceutical chemistry only, I do not see the necessity for it.

2281. You think it would be perfectly satisfactory if the council were composed of pharmaceutical chemists?—I certainly do; I do not see any objection to that.

2282. *Mr. Wakley.*] Is there any remark that you would wish to make to the Committee?—I think I have said I am of opinion that the diploma should be of the simplest kind, and that it should not be displayed in the window any more than a country apothecary should display drugs in his window; and I think it is very important to be stated, that the chemists can have no pretension to a knowledge of anatomy or of disease, and therefore cannot, in honesty and truth, prescribe. I consider counter practice, as it is termed, to be as great an evil as any form of quackery; by the loss of precious time, by the want of a just diagnosis, the real difficulty in the practice of physic, and the consequent loss of time in the administration of the appropriate, and perhaps energetic remedies, disease is too frequently permitted to pass, from the early and curable, to the inveterate and incurable stage, the consequence being lingering disease or loss of life.

2283. *Chairman.*] Is it not the case that an intelligent chemist, when applied to by a patient, refers that patient to a medical man, whereas a chemist who is quite ignorant would have blundered on and prescribed himself?—The chemist very often sends a patient to a physician.

2284. Do you not think that a chemist who is properly educated would be more sensible of the responsibility he would incur by doing that for which he has not been educated at all, than one who starts with ignorance altogether?—I think that is a question that would be determined more by his integrity than by the amount of knowledge he possessed.

2285. Do you not think that a chemist who has a character to lose would be more desirous of maintaining it, and more convinced of the responsibility he incurred by giving advice, than one who has no character at all?—As honesty is the best policy, I think that would be the case.

2286. Having been trained in correct views on this subject, would he not be more likely than the other to maintain a proper system of ethics between himself and medical men?—I think he would. I think that science ought to make us more high minded, and therefore that such a person so informed would be more likely to act with credit to himself and others.

2287. Do you not think that a Bill tending rather to elevate the character of chemists would tend also to promote a proper feeling than otherwise?—Yes, I do.

*Edwards Crisp, Esq., M.D., called in; and Examined.*

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2288. *Chairman.*] YOU have heard the examinations for the last three days?—Yes.

2289. Would you favour the Committee with any remarks that you have to make upon the subject of the Bill?—I approve of the general principle of the Bill, that every chemist and druggist should be examined, and that no person should sell drugs without having passed an examination; but I specially object to making this a club or corporation, which it will be, similar to the 22 corporations (including the new Irish colleges) which now exist in this country; this will make the 23d; but not only are there 22 corporations, but there are 27 various diplomas granted. I have, with great labour to myself, ascertained the qualification of all the medical practitioners (10,947) whose names are contained in the London Medical Directory.

2290. *Mr. Wakley.*] This Bill does not refer to the medical profession; this Bill does not constitute a medical corporation; it constitutes a corporation composed of chemists and druggists; it is only a Bill for increasing the powers of an existing trading corporation?—Allow me to say I think it has a most important bearing upon the medical profession, and I have heard statements made here which are quite erroneous. It was stated just now that a few members only of the medical profession were members of the Apothecaries' Company only, whereas the fact is, that there are more than 1,000 medical practitioners who are members of



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of Apothecaries' Company only. There are sixteen or seventeen hundred who have only the college diploma. I have all the statistics in a small paper, which I shall be happy to read to the Committee, if the Committee wish that I should do so. I am more especially anxious, however, to correct an error which occurred in the speech of the honourable Chairman in the House of Commons, as to the term "apothecary." It was assumed that the apothecaries of 1815 were similar to the chemists and druggists of the present time, whereas in truth there is no analogy whatever between them. The apothecaries of 1815 were educated and intelligent men, and from them the very best men we have had in our profession sprung.

2291. *Mr. Wyld.*] That was before the passing of the Apothecaries' Act?—Yes; with reference to the condition of the Apothecaries; when the apothecaries were separated from the grocers; and I think this is a most important question which has not been investigated; because the assumption is that there is an analogy between the chemists and druggists of the present time, and the apothecaries two hundred years ago; then many of the apothecaries were educated men, and they had 19-20ths of the practice of this metropolis. I have abundant evidence to prove that fact. I have an extract from the minutes of the College of Physicians, which distinctly states it, and it must have been so, because the number of physicians was so limited; that college passed the most tyrannical and unjust bye-laws, limiting their number to from 20 to 80, thereby encouraging quackery; they were the nurses of quackery, and they also compelled the public to resort to apothecaries, who afterwards had nearly all the practice in London.

2292. *Chairman.*] Perhaps you will be kind enough in any observations you have to make, to confine yourself, as much as you can, to the question of pharmacy; the present Bill being applicable to that subject only?—I thought it important to correct an error which appears to prevail. In the year 1704, Mr. Rose, an apothecary, was prosecuted by the College of Physicians for practising medicine; the Court of Chancery decided against Mr. Rose, but the matter was taken to the House of Lords, and decided, that he was a legal practitioner and could prescribe medicine; that was 148 or 149 years ago; but at the time the Apothecaries' Act passed, some of the best men were among them. Dr. Mason Good, the only Englishman living in the last century who wrote a complete treatise on the practice of medicine, was an apothecary. At present, who are the leading men connected with your own Pharmaceutical Society? Dr. Pereira was an apothecary. Dr. Alfred Taylor, a great authority on toxicology, was an apothecary; in fact, I may state, some of the best men are those whom the Colleges of Physicians and Surgeons are pleased to brand with the title of apothecary. But it is a false title; the apothecary is the present chemist and druggist who keeps a shop, and not the gentleman who has a medical and surgical qualification, whereas those who brand him with the title of apothecary are themselves imperfectly educated.

2293-4. *Mr. Wyld.*] Do you say the old apothecary is the present chemist and druggist?—No; the old apothecary, I believe, is not at all analogous to the present chemist and druggist. May I be permitted to read this small extract from the annals of the London College of Physicians? I think it is important, as it will tend to remove many of the doubts which appear now to exist upon the subject.

2295. *Mr. Wakley.*] What doubt do you refer to?—With regard to the analogy between chemists and druggists of the present time and the apothecaries 150 years ago, the following extract from the college annals, dated 1st March 1694, is very explanatory:—"Dr. Torless reports, that on hearing the City of London petition against the Apothecaries' Bill, the apothecaries' counsel (by instructions from them), as the College Committee were informed, did, without reason or occasion given by the college, use very reflecting expressions against the members of it, as 'negligent, careless, and uncharitable;' indeed, making them of little use in comparison with the apothecaries, who, by reason of their great knowledge, skill, and care, which they very much enlarged upon, were more necessary than they were; for the apothecaries corrected the errors of the physicians' bills. They had 19 parts in 20 of the practice of physic in London, and they took care of all the sick poor and servants in and about London, who must otherwise perish without their assistance; for the doctors would not come to the poor without fees, nor to the rich if at dinner or in bed, whilst they came at all times, and gave their advice and physic to the poor for nothing;" with many other expressions of a like nature, showing that at this period, in 1694, nineteen-twentieths of the practice of this metropolis was in the hands of the apothecaries.

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2296. *Chairman.*] At present we have nothing to do with any disputes existing between medical practitioners; but the business of this Committee is to consider the propriety of introducing a Bill for regulating the qualifications of pharmaceutical chemists?—But I thought it my duty to endeavour to correct the error, which has prevailed to a great extent.

2297. *Mr. Wyld.*] Your object being to show that modern chemists and druggists are not identical with the old apothecaries?—Mr. Bell, in his opening speech in the House of Commons, made the analogy.

2298. *Chairman.*] The statement was that originally, long before 1815, the apothecaries were dispensers of medicines, and had become medical practitioners; but that it was the object of the Pharmaceutical Society, instead of following in the steps of the old apothecaries, to retain the functions of pure pharmacutists; was not that the substance of it?—Not exactly, I think; I believe I may say that, in point of fact, ninety-nine out of a hundred of the whole population of this country were attended by apothecaries two hundred years ago.

2299. *Mr. Wakley.*] As there are several other gentlemen waiting to be examined, perhaps you will be so kind as to direct your attention to two things chiefly; one is in what way the enactment of this Bill would injure the medical profession; and secondly, in what way it would injure the public?—I think it would injure the medical profession, because there is no restriction with regard to illegal practice. A young man now beginning practice labours under this disadvantage, which would be greatly increased under this Bill: he is often compelled, contrary to his inclination and much against his pride, to keep an open shop; to put bottles in his window, and to sell drugs, because he finds that the little property he has must soon be expended if he does not pursue this course, which it is necessary for him to pursue in order to compete with the chemist and druggist, whose chief profit in many places in populous districts arises from counter practice. The very practice which I think young practitioners ought to obtain, is obtained by chemists and druggists, and I think this Bill would greatly increase that evil, because the chemist and druggist would take a title superior to that of the apothecary. I hold that the title “pharmaceutical chemist” is far superior to that of an “apothecary,” the name with which the College of Physicians and Surgeons up to this time brand a general practitioner, and say “that from time immemorial he has been designated an apothecary;” only the other day, in a memorial to Sir George Grey, that was stated. Then another monstrous anomaly would result. A physician may meet a chemist and druggist in consultation; there is no law against that; but if a licentiate of the London College of Physicians were to meet the most celebrated man in Scotland or Ireland, he would be subject to a penalty of 5 *l.*, and also might be committed to Newgate; the college annually announces this in the Medical Directory; or he may be sent to any prison in London, except the Tower, if he meets a physician who may have 10 times the knowledge which he himself possesses.

2300. *Chairman.*] That is totally foreign to this Bill, because there is nothing in the Bill which at all binds or affects the College of Physicians or any individual medical practitioner, for they are all excluded from the operation of the Act by the 20th clause. You have stated your objection to a corporation, on the ground that there are many other corporations existing?—There is another observation which I would wish to make with reference to the subject of bye-laws. Looking at the history of corporations, knowing that the intentions of charters have been entirely set aside by bye-laws, and knowing that only the Secretary of State will regulate these bye-laws, I think, knowing that hitherto we have not been guarded against oppression by the Government, we ought to be extremely cautious (not that we can prevent it), but we ought to protest against allowing the Secretary of State to have that power. I think it would be no protection whatever; the bye-laws have been the greatest curse to science and to the profession, and from those bye-laws thousands and tens of thousands of lives have been sacrificed.

2301. These corporations of which you speak are corporations among the medical profession, are they not?—Yes.

2302. Is there any corporation existing which regulates the practice of pharmacy, in its correct sense?—Not any.

2303. Is there any reason why, there being 22 corporations representing the medical profession, you should deny one corporation to the chemists and druggists?—Looking at the evils which have arisen from these corporations, I think we should be extremely cautious in giving the same powers to this corporation, which



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which may abuse the trust reposed in it as much as the others have done ; it may become a trading corporation ; your present president and your vice-president are wholesale druggists.

2304. *Chairman.*] No ; the vice-president is a retail druggist ?—Knowing that in other corporations men can put money into their pockets in various ways, and I shall have no difficulty in showing that they have endeavoured to fill their own pockets ; they have had no regard for the general welfare of the public, nor for the good of science ; the history of all of them proves this, and, therefore, I think we should hesitate before giving such powers to this corporation.

2305. *Mr. Wyld.*] Your objection is to medical corporations in general ?—Yes ; I think we ought to have a faculty of medicine, and the senate ought to appoint a body to examine chemists and druggists ; I think also that the term “ chemist and druggist ” is better than that of “ pharmaceutical chemist,” for the term “ pharmaceutical chemist ” implies more than the qualification which these gentlemen possess.

2306. *Mr. Wakley.*] To whom would you refer the bye-laws for confirmation ?—I would have a general senate to regulate medical affairs, and this senate should, I think, regulate and adjust the examinations ; I have most important evidence here in a small compass, and if such evidence has not been given to the Committee, I think its practical import will at once be seen.

2307. As there is no present probability of our having the senate to which you refer, and as there is a probability that this Bill may be enacted into a law, I should like to know to whom you would refer the bye-laws of the council for confirmation or approval ?—Then I think it would be better that the Bill should not pass, than that you should allow this body to enact its own bye-laws. I think the confirmation of them by the Secretary of State affords no protection.

2308. If the Bill should pass, to whom would you in the Bill provide that the bye-laws should be referred for confirmation or approval. Would it be satisfactory to you if they were referred to the colleges ?—Not at all. I do not think they are to be trusted.

2309. Nor to the Secretary of State, with due notice to medical colleges ?—I think a body of men might be appointed by the Secretary of State to approve or not approve of these bye-laws ; but I think, that if they were referred to the Secretary of State, whose mind would be occupied with other matters, the most unjust and direful consequences might result.

2310. Would you prefer referring them to two judges of the superior courts ?—I do not think they would be competent to do it ; and unless you have a national faculty of medicine, I can see no chance of framing any measure which will be salutary and beneficial to the public.

2311. *Chairman.*] Suppose at a future time such a provision as you describe were to be introduced, and that a medical senate were to be appointed, would it not be very easy in that Bill to substitute the senate for the Secretary of State, in reference to the supervision of the bye-laws. You are aware that it was in contemplation to have such a senate some time ago, and that that senate would have been in the position in which it is proposed to place the Secretary of State ; would there be any objection, seeing that that has not been done, to making the education of chemists and druggists as perfect as possible now, and introducing subsequently the jurisdiction of such a senate when it exists ?—I think there would be no objection to the passing of this Bill, if the powers which are conferred by it were more restricted. I think that to compel chemists and druggists to undergo an examination is most necessary ; but I think there should be no exceptions, and that you ought not to allow some men to belong to this society, and others not. In England not a single man has distinguished himself as a pharmaceutical chemist, whereas on the Continent most valuable discoveries have been made by them.

2312. Is not the fact of their not having distinguished themselves in this country to be attributed to the want of legislation ?—Yes, proper legislation.

2313. Do you not think that the best method of rectifying the evil is to commence by introducing a law which shall provide for their education ?—But connected with this subject there are many things that are antagonistic to everything connected with science. With reference to what has been said as to the amount paid to Government for patent medicines, I may state that I have taken the trouble to investigate the returns for 38 years, and I find that the Government has received

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1,396,000*l.* in respect of quack medicines, for stamps alone, besides an immense revenue from the advertisement duty, and from the license; then if you take into account the enormous sum derived by the press of this country, who will write articles on sanitary reform, but admit all the quack advertisements into their papers, and take money for a state of things not very creditable to the press. I know that in saying this, I am not likely to benefit myself, but I do not care about that. I am looking to the interests of the public, and I think that persons who vend quack medicines are not entitled to any scientific name whatever. It is disgraceful to the Government and to the people of England that such a thing should be allowed.

2314. Would you apply the same observations to medical men, who keep open shops and sell quack medicines?—Some from poverty are perhaps compelled to do it; but I may state that 15 or 16 years ago a gentleman was expelled from the Medical Society of London, because we learned that he was the proprietor of a quack medicine in America, so much do we set our faces against anything connected with quackery; but I know that there are men who, from poverty (I hope that is the cause of it), are compelled to do it.

2315. *Mr. Wyld.*] You think that some legislation is necessary?—I think it is most important.

2316. But you object to the present mode of legislation?—Yes; I think that the effect of it will be to make this society like one of our present corporations. I beg the Committee to understand that they will form a very erroneous notion, if they think that because the medical profession have not petitioned against this Bill, they are therefore lukewarm with regard to it. They have petitioned the House of Commons so often without success, that they feel they are not represented there. I know, from expressions which I have heard from various gentlemen, that their impression is, that although they object to this Bill, and think that its provisions will be injurious to the profession, they feel it is of no use to petition; they feel that a few men govern the majority. That is my own conviction, and I believe that nine men out of ten general practitioners are of that opinion.

2317. You have said that a great many people practice as pharmaceutical chemists without a proper qualification. If the course of education which this Bill purposes to give to the pharmaceutical chemist be carried out, will they not be entitled to that distinction?—I am aware that we cannot obtain perfection at once, and after a time those objections may be removed; but the principal objection to the Bill, I think, is, that there is no restriction to illegal practice. I have known instances in London of men who have attended lectures at an hospital, saying, “I am not legally qualified to practise, but I have attended lectures.” I think that if this Bill passes that may be done by pharmaceutical chemists. I think there ought to be an entire stop put to counter practice by chemists; and although it may appear to be a harsh measure, yet, if you put the good into the one scale and the evil into the other, the good will so greatly preponderate, if the course I have suggested be adopted, that I think it ought to prevail. A pharmacist in France cannot prescribe, and see what the pharmaciens in France have done for science; but they do not practice; if they do, they are subject to a penalty of 500 francs the first time, 1,000 francs the next, and imprisonment the next.

2318. *Chairman.*] If you cannot get all you desire in one Act, do you not think it desirable that you should get a part, and so go on in the right direction?—If I see positive evils in this measure, which in my opinion will preponderate over the good, I think rather than allow the Bill to pass in its present form, we should be much better without it; I only look here to the public good.

2319. Then you think it would be better for the public to have their medicines from a great number of persons without any education at all, than to introduce the system of education which is provided for by this Bill?—I look at the two evils; if these persons, without education, are to prescribe over the counter, then I think that evil would rather counterbalance the evil at present resulting from many of them being ignorant of drugs.

2320. Does not that evil already exist to a very great extent, throughout the kingdom?—It does, no doubt, and I may mention a circumstance much in favour of this Bill: the College of Physicians have very little to do with the preparation of the pharmacopœia; they get Mr. Phillips and other people to prepare it. I may also correct an error with regard to doses of medicines: there is nothing in our pharmacopœia



pharmacopœia as to the doses; this pharmacopœia is published in Latin; the College of Physicians refuse to have anything to do with the translation of it, and yet the chemists are not required to know a word of Latin. There is this monstrous anomaly; the College of Physicians publish a pharmacopœia in Latin, and the chemists are not required to be acquainted with this language; the compound soap-pill, so called by the College of Physicians, contains one grain of opium in five, and I can suppose that a boy in a chemist's shop would be very likely, with that compound soap pill, to make great mistakes. Many mistakes which are made by these ignorant persons are not discovered, but that many such mistakes are made I have not the slightest doubt.

2321. In spite of your admission as to the existence of this state of ignorance, among persons assuming the name of chemists, you object to the attempt which is now in progress for getting rid of that ignorance?—I look to the future. I hope that by-and-by the people of this country will be better represented; I hope that we shall get a different class of men in the House of Commons, and that they will frame a Bill that will be for the public good; I look to that event, and looking to that event, I think it is better not to have a clog put upon the wheel by such a Bill as this.

2322. Mr. *Wakley*.] You say you think it most desirable that counter practice should be entirely stopped?—I do.

2323. I quite agree with you; now I ask, as you are a writer, whether you have ever tried your hand at drawing a clause, or a Bill that would effectuate that desirable object?—I have not taken the trouble, because I know that in a neighbouring country it is done, and I know that Englishmen can do things better if they are not crippled, than most men, both physically and intellectually.

2324. Are you quite sure that the practice is stopped in the neighbouring country?—From extensive inquiries which I have made, and I have gone into many shops for the purpose of inquiry, I think it is; I went to France, and remained there three weeks, for the purpose of inquiring into their institutions. In France, there are about ten thousand doctors of medicine, seven thousand officers of health, and five thousand pharmaciens, and the officers of health there undergo a medical and surgical examination.

2325. They are the second class of practitioners, are they not?—Yes, and the distinction is perfectly kept. I believe it may occasionally happen that a pharmacien will transgress, but I do not think it common; and knowing that this law prevails in another country, I think it is a great stigma and blot on the name of an Englishman to suppose that he cannot do what is done in France, and the effect of which is known to be good and beneficial.

2326. I believe there is no difference of opinion in France as to the salutary effect of the measure. Do you say that counter practice does not exist in France?—I believe not.

2327. Will you undertake to say that it does not?—Not to a great extent.

2328. Mr. *Wyld*.] If it exists at all it exists illegally?—Entirely.

2329. It is against the French law?—Yes.

2330. Your great objection to this Bill is, that it will hinder a general measure of medical reform?—Yes.

2331. *Chairman*.] Or is it that you have objected to this Bill being passed first?—I think that if such a Bill as this is allowed to pass, it will interfere with the passing of a general measure of medical reform hereafter; although I confess that I have but little hope of that, for we find already that the College of Physicians and Surgeons have charters given to them without the consent of the profession.

2332. Could not this Bill be engrafted afterwards on a general measure?—With considerable alterations.

2333. And in the meantime would it not have the effect of inducing the apprentices and assistants to exert themselves, in order to pass an examination, and would it not thereby raise the qualifications of chemists and druggists?—I think that might be done without the Bill.

2334. Are you aware that it has been tried for 11 years, and that it has been impossible to do it without compulsion?—But this Bill is not compulsory, because it does not affect all.

2335. It only affects those who establish themselves as pharmaceutical chemists and druggists, and who assume that name and title?—I am afraid it will be a kind of club, in which certain men will assume the power of lording it over others. I think it is a very unnational measure, and I am afraid that it will be a

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repetition of one of the evils from which we have so long suffered. If you could compel all men who sell drugs to pass an examination, it would be another thing; but I can see no reason why one man should undergo an examination, and another not.

2336. Is there not a manifest distinction between the two cases, inasmuch as one deceives the public by professing to be what he is not, and the other simply assumes a name which his diploma entitled him to assume?—I think the Government should so legislate as not to allow the public to be deceived.

2337. That is the sole object of this Bill; but would you not, in addition to that, allow the public to get herbs from an old woman, or certain drugs from a huckster in a small village?—With reference to that question, I may state that in France even herbalists undergo an examination; they are not allowed to sell hemlock, for instance, and other things, unless they have undergone an examination.

2338. Then is it not your opinion that this Bill does not in point of fact do enough?—I think it does too much, and at the same time not enough; the term “pharmaceutical chemist,” I hold, is a better title than that of apothecary; in fact, the apothecary is a shopkeeper.

2339. And so is the pharmaceutical chemist, is he not?—To a certain extent; but the very term “chemist” implies a certain degree of scientific acquirement.

2340. Mr. *Wakley*.] But the term “pharmaceutical chemist” is in use, and the Pharmaceutical Society exists?—I know that, but very few chemists and druggists assume the title of “pharmaceutical chemists.”

2341. Do you find that the assumption of the title has brought those who have assumed it into medical practice?—I believe that the public are so ignorant upon this subject, that they would value the diploma of a pharmaceutical chemist as much as the diploma of a member of the College of Surgeons.

2342. How do you propose to enlighten the public?—By establishing a National Faculty of Medicine, and compelling all persons to undergo an examination.

2343. Who do you find now to be the greatest supporters of quacks; do you find them to be persons in humble circumstances, or those holding more elevated positions in society; are they more fostered by the aristocracy than by others?—I may answer that question by saying that I think the greatest fools are the greatest supporters of quacks.

2344. But in which class do you find the greatest fools?—That is a question which I should scarcely like to answer.

2345. Mr. *Wyld*.] Do you think, supposing this Bill should pass, that the majority of persons would prefer being members of the Pharmaceutical Society, instead of becoming licentiates of the Apothecaries’ Company?—I apprehend that the Apothecaries’ Company is not to last very long, and I think it is scarcely necessary to bring the Apothecaries’ Company into this discussion, unless you intend to make the Apothecaries’ Company examiners of chemists and druggists.

2346. You state that in your opinion the title “pharmaceutical chemist” is a higher scientific title than that of “apothecary”?—I speak of the title, and not of the examination.

2347. Do you think that a young man wishing to go into practice would prefer being a member of the Pharmaceutical Society to becoming a licentiate of the Apothecaries’ Company?—If he intended to practice generally, I think he would prefer being a member of the Apothecaries’ Company.

2348. Then the Pharmaceutical Society would not, in fact, injure the Apothecaries’ Company?—It would injure the members of the company.

2349. *Chairman*.] But not as a company?—I do not consider that; that is a matter which I should never consider.

2350. Is there anything else which you would wish to state to the Committee?—I should very much like, if it is not out of place, to read to the Committee the analysis I have made of the names of the London Medical Directory, and also of the reports of the Universities of Scotland, which includes the statistics of the qualifications of all the practitioners in this country whose names are in that Directory. I think it has a most important bearing upon this subject.

2351. Mr. *Wakley*.] That would assume this Bill to be a medical Bill, which it is not?—I am afraid that it is intimately connected with the medical profession; it is establishing, as a Pharmaceutical Society, a number of gentlemen who sell quack medicines.

2352. But it is not establishing a society; the society already exists?—As a private club.

2353. It



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2353. It is a chartered body at present, and no medical practitioner can, under this Bill, be registered as a member of it, if there was a distinct line between the man acting as a chemist and druggist, and the man acting as a medical practitioner?—But there will be a difficulty, which I am sure the honourable Chairman will see at once; how could a medical practitioner get rid of his diploma? If I thought fit, I could become a pharmaceutical chemist, but the public would know that I have certain qualifications as a medical practitioner, and would flock to me; it would be impossible to prevent medical men then from practising; although they might not call themselves medical practitioners, but pharmaceutical chemists, they would, in reality, be known to be medical men.

2354. This Bill is only the first step; there must be a beginning?—I know that difficulties must necessarily arise, but I look to the evil, and to the good, and I think, looking well at the two, that the Bill in its present form ought not to pass; I think it will be injurious to the general practitioners of medicine who compose the great bulk of the profession.

2355. Can you doubt that it would be an advantage to the profession, if the examiners were interdicted from extending their examinations to a knowledge of the theory and practice of medicine, and to a knowledge of surgery and midwifery?—I am afraid that that would be of no use. If a pharmaceutical chemist goes to a hospital, and attends lectures, and tells his customers, "It is true I have no diploma, but I have had a medical education," they would go to him as a medical man.

2356. But if he were prosecuted for practising, this Bill would aid in procuring his conviction, would it not?—Can the Committee point out any clause in this Bill under which he could be prosecuted?

2357. The question referred to a prosecution under the Apothecaries' Act?—There has been no conviction at present with regard to counter practice.

2358. No, I believe not, but this Bill would make it illegal?—I should like to state one circumstance with regard to myself; I am a member of three corporations; I have written to those corporations as a member; I have no voice in anything they do; I have asked them how they spent their money, but they will not give me the slightest information on the subject.

2359. *Chairman.*] Will you allow me to observe, that all this which you are now stating, has no reference whatever to the Bill which is now under the consideration of the Committee?—I am afraid that much misconception prevails as to what the effect of this Bill will be.

2360. According to the charter of the Pharmaceutical Society, and according to their bye-laws, all their accounts are to be published annually and are to be printed, so that it will be absolutely impossible for abuses such as those of which you speak to occur?—The College of Physicians was constituted originally upon the most liberal principles; it was called a "commonalty;" all were to be admitted. But afterwards they made the most illiberal bye-laws, and I think there is no reason to suppose that this society may not ultimately do the same thing, even although their bye-laws must receive the sanction of the Secretary of State, and why the society may not become as bad as our present corporations. I judge from past experience, and I see no reason against that at all.

2361. *Mr. Wyld.*] You object to this Bill as establishing a society which will add one more to the corporations now existing?—Yes.

2362. Will you state what is the number of existing corporations?—I have here a list of all the corporations.

2363. *Chairman.*] How can you consider this a medical corporation, when no medical man is admitted into it?—No medical man may be admitted into it, but yet they may practice as medical men. Many men would prefer counter practice to going out, and they will tell you that they get a great deal more money behind the counter than they get by visiting patients; what is done behind the counter is done quickly, but that is in effect just as much visiting a patient as if you go out to visit him.

2364. *Mr. Wakley.*] How can you say that the effect of this Bill will be to add to the number of our corporations, the Pharmaceutical Society having now been in existence for nine years?—Yes, as a chartered society, and so have many others of minor importance; the Medico-Chirurgical Society is a chartered society, but this Bill increases the powers of the society.

2365. It does not create a new corporation?—It may be called a new corporation; it is an altered corporation entirely.

2366. But the number of corporations will not be increased in consequence



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of the enactment of this Bill; that cannot be said?—At any rate I think that this statistical evidence which I have prepared, which has cost me weeks and months of labour, and which had never been obtained before, should be read before the Committee. It is very short; it will not injure this Bill at all, but it may possibly induce some persons who read the evidence given before this Committee to think that the state of our profession is such that something ought to be done for it.

2367. *Chairman.*] But this Bill is a Bill for regulating the qualifications of pharmaceutical chemists merely?—I consider that it has a great deal to do with the question of medical practice.

2368. *Mr. Wyld.*] If you think it important with reference to this Bill, you may state to the Committee what is the result of the examination which you have made with reference to the statistics of the medical profession?—I have made an analysis of the names in the London Medical Directory for 1849, and also of the reports of the universities of Scotland, and the following is the result. I find, in the reports of the Commissioners of the Universities of Scotland, that from 1776 to 1826, 2792 students graduated in Edinburgh during these 50 years; I have made an analysis of the names published in the “Edinburgh Medical and Surgical Journal” from 1805 to 1850; the lists for the year 1846, 1848, and 1849, for some reason, being omitted. The number in these 42 years is 3,805. Of these I find, 1,058 were from England, 39 from Wales, 982 from Ireland, 1,270 from Scotland, 456 from our colonies, including a few from other countries. The members of the College of Physicians of Edinburgh are very limited, and I am unable to obtain the list of the members of the College of Surgeons. At the University of Glasgow from 1776 to 1830, 574 graduated in medicine at this university; 90 of these were from England, 180 from Scotland, 135 from Ireland, 19 from the British colonies, and 21 from foreign countries. From 1817 to 1830, 265 took the degree of magister chirurgiæ; 10 of these were English, 104 Scotch, and 82 Irish. From 1826 to 1836, 523 graduated in medicine, and 194 took the degree of magister chirurgiæ; 72 of these were from England, 293 from Ireland, 303 from Scotland, and 21 were foreigners. At the university of St. Andrew, from 1800 to 1833, 650. From 1834 to 1850 the number of graduates amounted to 563. At the University and King’s College, Aberdeen, from the year 1800 to 1849, I find the number admitted is 475; only 79 of the graduates are Scotchmen. At Marischal College and University, from 1776 to 1830, 451 degrees in medicine were obtained. Then, as to England; in June 1849 I made an analysis of the London Medical Directory; the numbers for the present year would, of course, differ to a slight extent, but the labour is too great to induce me to undertake a second examination, and no important good would result from it. In London and the suburbs there were 2,567 practitioners; about 275 are practising as physicians, and probably about 90 who call themselves pure surgeons; but of these the greater number prescribe in all cases; the remaining 2,262 are general practitioners. Of the 2,567, 1,670 are members of the College of Surgeons of London (of these, 935 are members of the Apothecaries Company also; 536 are practising with only the College of Surgeons’ diploma; the remaining 199, in addition to this diploma, have taken degrees at British and foreign universities); 251 are licentiates of the Apothecaries’ Company only; and of the remaining 281, 71 were in practice before 1815, 150 have refused to state their qualifications, and the rest, (215), are variously qualified; 538 of the above have obtained degrees from British or foreign universities; Cambridge, 46; Oxford, 26; London, 63; Dublin, 18; Edinburgh, 171; St. Andrew’s, 61; Glasgow, 39; Aberdeen, 22; foreign universities, 92. The Provincial Directory contains the names of 8,380 practitioners, and they are thus qualified:—Degrees: Lambeth, 4, not including Sir C. Clarke; Oxford, 14; of these 12 are M. D., and two M. B.; Cambridge, 62; 44 of these M. D., 17 M. B., and one L. M. London, 59; of these, 25 M. D., and 34 M. B.; Dublin, 24; of these M. D. 14; M. B. nine; L. K., and Q. C. one; Edinburgh, 535; and 211 of these possess no other qualification; St. Andrew’s, 118; Glasgow, 99; Aberdeen, 64; foreign degrees, 103; London College of Surgeons and Apothecaries, 3,698; College of Surgeons alone, 1,127; Apothecaries’ Company alone, 787; London Hall, College, and Edinburgh surgeons, 9; London Hall and Edinburgh surgeons, 60; London Hall and College, and Glasgow surgeons, 4; London Hall and College, and Dublin Hall, 4; London Hall and Glasgow surgeons, 10; London and Glasgow surgeons, 3; London and Edinburgh surgeons,



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surgeons, 17; Edinburgh, surgeons alone, 113; Dublin, surgeons alone, 14; Glasgow, surgeons alone, 32; London College of Physicians, without any other named qualification, 12; in practice before 1815, or diplomas not stated, 1,408. The Irish diplomas amount to 42; the Scotch to 1,064; the foreign to 103; and 596 are practising with Irish, Scotch or foreign qualifications alone. Then as to the price of the medical and surgical diplomas in the United Kingdom, I find that in the United Kingdom 27 diplomas may be obtained, all varying in price and quality; they are as follows: England—Archbishops and Bishops, 1; College of Surgeons of London, 2; College of Physicians of London, 3; Apothecaries' Company, 1; University of London, 1; Oxford, 1; Cambridge, 1. Ireland—College of Surgeons, 2; College of Physicians, 1; Apothecaries' Company, 1; University, 1; Queen's College, 1. Scotland—Edinburgh College of Surgeons, 2; College of Physicians, 1; University, 1; Glasgow Faculty of Physicians and Surgeons, 2; University, 1; St. Andrew's University, 1; Aberdeen, 2. It must also be remembered that at the Universities of Oxford, Cambridge, London, and Dublin, some only take the degree of M.B. The price of the parchment varies as much as the requirements to obtain it. Thus, the College of Physicians of London charge 24 *l.* 18*s.* for the country license (for rural knowledge), and 56 *l.* 17*s.* for metropolitan parchment. The College of Surgeons of Edinburgh: assistant surgeons in the Navy, 2 *l.* 11*s.* 6*d.*; Fellows of the college (entry money), 250 *l.* The price of the degrees of M.D. at Cambridge varies at different colleges: St. Peter's, 11 *l.* 7*s.*; Clare Hall, 13 *l.* 0*s.* 2*d.*; Pembroke, 7 *l.* 2*s.*; Caius, 17 *l.*; Trinity Hall, 20 *l.*; Corpus Christi, 10 *l.*; King's, 6 *l.* 4*s.*; Queen's, 12 *l.* 7*s.*; Catherine Hall, 15 *l.*; Jesus, 10 *l.* 6*s.* 8*d.*; Christ's, 8 *l.* 2*s.*; St. John's, 10 *l.*; Magdalen, 8 *l.* 6*s.*; Trinity, 14 *l.* 18*s.*; and Emanuel, 8 *l.* Number of diplomas sold at the London examining boards during the year 1850, and the money received exclusive of stamp duty: University of London, 48 admitted, cash 305 *l.*; College of Physicians, country 5, London 16, 769 *l.* 12*s.*; Apothecaries' Company, 258, about 1,999 *l.* 12*s.*; College of Surgeons, Members 371, 7,420 *l.*; Fellows 12, 126 *l.*

*John Rose Cormack, Esq., M.D., called in; and Examined.*

2369. YOU are a Graduate of the University of Edinburgh, are you not?—I am, and a Fellow of the College of Physicians of Edinburgh. *J. R. Cormack, Esq., M. D.*

2370. And in general practice?—No, I am not in general practice now; I have discontinued that for some time past.

2371. Do you consider that the examination and better education of chemists and druggists is desirable?—I do; so much so, that when the Bill was first brought before Parliament I signed a petition in its favour, which I would not do now, not because I object to the principle of the Bill, but because I think that this is not exactly the time to legislate upon the subject, and that in some of the details the Bill might be amended.

2372. Will you have the kindness to suggest any detail in respect of which you think an amendment would be desirable?—It is a very difficult thing without previous preparation to commit one's self to the details of any measure of this kind, and I should rather confine my answers to general principles.

2373. What do you suppose would be the effect of the Bill on the medical profession?—I think that a good and well digested Pharmaceutical Bill would be very beneficial to the medical profession; but I am afraid that this Bill in its present state, and in the present predicament of the profession as regards medical reform, would be injurious.

2374. In what way do you think it would be injurious?—In the first place I think it would be injurious, because it would retard, and complicate the great question of medical reform.

2375. Do you not think it would have the effect of removing one of the obstacles by making provision for the better education of chemists and druggists?—No; I think it would complicate the question immensely: and for this reason, that a large body of the general practitioners wish a separate college or incorporation; if this Bill is passed, I may say, without going into details, that I am quite sure that the effect of it would be to bring the question of a new college into fresh agitation, and thus immensely to retard medical legislation.

2376. What do you think would be the effect of the Bill upon the public?—I



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think the effect of the Bill as it at present stands, and without certain safeguards being provided, would be injurious to the public in this way, that it would bring into greater competition than at present the humbler class of general practitioners with the chemists and druggists, and that it would in that way cause in a number of localities the medical practitioners to be really superseded. I say so, because I have ascertained from my intercourse with medical men that in the poorer localities the chief profit is derived from consultations which take place in the shop, and that those who have a large poor practice, and who go out to visit their patients, cannot subsist; whereas a man who confines himself to counter practice may make a good income. Now, I think that this measure, by giving a greater prestige and status to the chemists, would operate very severely upon the humbler class of medical practitioners. I am by no means in favour of the retail vending of drugs by medical men; but I think that a measure like this, passed at present suddenly, might be injurious, and might work an evil not intended by the promoters of it.

2377. Do you call it passing a measure suddenly when it has been 11 years in progress, and when the provisions of it have been carried out in the form of a voluntary institution; and when you find that the object of it is merely to confirm those provisions, do you call that a sudden legislation?—I would call the present passing of this Pharmacy Bill sudden legislation. I look to the effects that would result from it. I judge of them partly by what has already taken place.

2378. To what do you allude?—I think that the display in shops of the diploma of the Pharmaceutical Society has led a number of the less informed part of the public to suppose that it is the diploma of a medical practitioner.

2379. Do you not think that the exclusion of medical practitioners from this body altogether would, by degrees, tend to create a more complete distinction between the two classes?—I have no doubt that a measure which would produce that distinction would do a real good.

2380. Then do you not think that this would be the first step towards the kind of measure you desire, and that further measures might be introduced after this had come into operation?—Possibly that might be the case, but I do not think that at this time it would be fair to the poorer class of medical men to pass this measure.

2381. You are aware that this Bill will have no retrospective operation?—I am not speaking of the legal effect it would have, but of the prestige and status it would give to the pharmacists, and the effect it would in that way produce upon public opinion.

2382. Do you think the chemists and druggists, as a body, have the right to use such means as they have, for improving their qualification?—Undoubtedly, every class of the community has a right to do that.

2383. And do you consider that if, by the means appointed, the medical profession are entirely excluded from any operation under the Bill, the medical profession have any right to complain that the chemists wish to improve their qualification?—I would wish to guard myself very much from being supposed to speak against the improvement of chemists and druggists as a body in education. That is not the point at all, but it is this, that along with improvement there must be something done to separate more distinctly the two classes. The Pharmacy Bill would mix up the medical men and druggists more than ever, and perpetuate the evils at present existing.

2384. In what way could that mix up chemists and druggists with the medical men, when medical men are not permitted to belong to the body?—It would mix up the practice.

2385. Have you seen the clause which prohibits medical practitioners from registering?—Yes, I have; but I am speaking of the general effect of the measure, rather than of the details; and I should be sorry in anything I say to let it be supposed that I do not think that an excellent measure, embracing all the principles of the Bill, could not be passed; it is with me more a question as to the time and the details.

2386. Did you ever know a suitable time for introducing any reform; I never did?—I think this is a suitable time for introducing a measure of medical reform.

2387. *Mr. Wakley.*] Would others who have the power to pass it think so?—

Yes;



Yes; I think so, now that the medical bodies are coming pretty nearly to an understanding. *J. R. Cormack, Esq.,*  
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2388. *Mr. Wyld.*] And is there not a great wish on the part of the community generally that some steps should be taken in favour of a great measure of medical reform?—I think so.

2389. *Chairman.*] During the existence of obstacles to the introduction of the complete measure you desire, do you not think it desirable that there should be a partial reform in this trade, in which great abuses exist; and could not that be engrafted on a future measure?—I do not think so, if you give such enormous powers to a council, as those which are given by this Bill, of framing bye-laws.

2390. Would not the alteration which was suggested just now, of substituting the senate, in case the senate should be appointed for the Secretary of State, in the revision of the bye-laws, remove the objection; and might not this body be included with the other bodies, under one general jurisdiction?—I do not think it would; but to answer such a question would require more consideration than at this moment I am able to give to it.

2391. It is proposed, in the absence of any senate, at present to place the jurisdiction with reference to the revision of the bye-laws under the Secretary of State. In the event of a senate being appointed, the words "Secretary of State" might be omitted, and "senate" introduced; would not that connect this body with the general system which you advocate?—I am not able to give a positive answer to that question, as I do not see exactly its bearing.

2392. I think you desire to see a general measure in which there shall be a senate?—No; my views are not those of Dr. Crisp, with reference to that point to which your question refers.

2393. *Mr. Wyld.*] You are only anxious for a general measure of medical reform?—I am; and I would wish not to increase the number of existing corporations.

2394. And you decline to give an opinion as to what that measure ought to be?—Yes; still I have no hesitation in saying that I have my own ideas on the subject, but I would be willing to give up my own particular views for the sake of contributing to professional unanimity.

2395. *Chairman.*] Then you admit the desirableness, if not the necessity of improving the education of chemists and druggists?—Decidedly.

2396. But your objection to this Bill is that you are not quite decided as to the best means of effecting that desirable object?—Or rather it is more the time and the way I dislike; for example, the Bill proposes to give a certain status to the chemists and druggists, but I would object to that, unless they would as a body make some internal reforms, which very probably the Pharmaceutical Society would be willing and anxious to accomplish, such as renouncing counter-practice, and the selling of patent medicines; I think these are matters which call for some legislative provision before the chemists can all at once be erected into a powerful corporation.

2397. Do you not think that such provisions as you desire are those which are likely to emanate from a more educated and intelligent body than the chemists at present are?—I think so; but what I alluded to was a legislative provision.

2398. Then do you not think that by giving them increased intelligence and improved education, they would be more likely of their own accord to promote that reform which you think so desirable?—Yes; but at the same time, I think justice to the medical profession and the good of the public demand that in any measure of this kind, there should be something enacted very explicit upon these two points; I mean counter-practice and the sale of patent medicines, which are often injurious to health.

2399. Would it not be very inconsistent to introduce a stringent law respecting counter-practice, and the sale of patent medicines, when there is no provision at all for the education of the dispensers of medicine? Does it not seem to be the primary object which ought to be in view, to educate those who perform the proper functions of a chemist and druggist?—No, I do not think that education is the primary thing, because we find that some of the venders and proprietors of patent medicines are men of great talent and good education.

2400. Is not that because they are obliged to do it by the custom which everybody must submit to, in whatever trade he is; and does it not arise from the fact,

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that it is the universal practice for every person keeping a chemist's shop to keep certain patent medicines, particularly such as the medical profession themselves sometimes order?—I do not believe they are kept because the medical profession order them; but I think that the number of chemists and druggists is so very great, that unless the sale of quack medicines and counter-practice formed part of their business, they could not make a livelihood in many places.

2401. *Mr. Wyld.*] Do the medical profession order patent medicines?—I am not aware that they do.

2402. *Chairman.*] Do they not order James's Powder, (*Pulvis Jacobi verus*), and other things?—Yes, those are secret medicines, and perhaps they are objectionable so far, and with respect to their being secret, many medical men, on principle, do not prescribe them. I would not myself be quite so straight laced on that subject, because I believe that the secret preparation is, in one or two instances, better than that of the *Pharmacopœia*; but these are exceptional cases, which I do not think at all affect the open sale of various nostrums, such as Holloway's Pills, Blair's Gout Pills, and so on.

2403. *Mr. Wakley.*] Is it not the fault rather of the Government, for allowing quack medicines to be sold, than the fault of the chemists and druggists?—Yes; but of course, when I am asked a question as to the effect of this Bill, I can only give my opinion. I was asked my opinion as to the reason why chemists sell these medicines, and I said, I thought it was almost a matter of necessity with many of them.

2404. Do you consider that by the enactments of this Bill the chemists and druggists would obtain a greater prestige and influence with the public, and that their counter-practice would increase in consequence of it?—I have no doubt of it.

2405. Do you believe that that would be the case if a clause were introduced into the Bill interdicting the examiners from extending their examination to the theory and practice of medicine, and to a knowledge of surgery and midwifery?—I think that restriction would be so far beneficial, but I do not think that it would be quite enough.

2406. *Chairman.*] Do you think that any law that could be introduced would absolutely stop counter-practice?—No; I think that what would stop it most of all would be a good understanding between the pharmaceutical body and the medical profession in large towns; a good feeling would do a great deal; but at present I know that a large class of medical men will not send their prescriptions to chemists' shops, simply because patent medicines are there sold, and on account of the counter-practice. I think if something were done with reference to these abuses, the business of druggists would increase; because the general practitioners would cease to feel that they were competitors.

2407. Then you would not have so great an objection to the Bill as you now have, provided a clause were introduced preventing the chemists and druggists from selling quack medicines and prescribing over the counter?—That would strip the Bill of all its objections, I think; and of course I would wish to apply the same stringent legislation to my own profession. I think it has a demoralizing and degrading effect upon the medical profession, for members of it to be driven into competition with other parties in the sale of patent medicines. It is a common thing for a young man who intends ultimately to practise medicine, to open a shop, and by the sale of patent medicines, and by counter-practice, to obtain a sufficient sum of money to enable him to go through an examination at the College of Surgeons. Now I think that such occurrences inflict great injury on the public, on the chemists, and on the medical profession. I think it brings a class of men into the medical profession who ought not to be in it; they are on the one hand injuring the public, and on the other the medical profession.

2408. Then your wish for a general measure of medical reform arises from your wish to draw a line between general practitioners and the chemists and druggists? Yes; I hold that no man should commence practice until he has received the sanction of some medical body.

2409. And you think there should be mutual distinctions?—Yes; for example, there is a large class of men who come into the medical profession by being assistants to medical men; many medical men hire unqualified assistants, and that is as great an evil as counter-practice. There are many unlicensed men practising medicine as the assistants of medical practitioners, and my desire is that any legis-

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lative measure that may be passed should be so comprehensive as to prevent the evils which now exist in the medical profession on the one hand, and in the pharmaceutical profession on the other.

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2410. Do you not think it a great step in the right direction, the compelling chemists and druggists to undergo an examination and receive a certificate?—Yes; but that does not apply to the other question. This Bill would unjustly exalt the pharmaceutical profession at the expense of others.

2411. Have you any other matter which you wish to state to the Committee?—I should not like of course to commit myself to the details of a measure which I cannot be supposed thoroughly to understand. But I think the Bill might be very much improved if there were some provisions introduced into it as to the sale of dangerous medicines and the dispensing of prescriptions which contain dangerous quantities of medicines. Such a provision as this exists, for example, on the Continent; if a physician prescribes prussic acid or some formidable medicine, the whole mixture may contain what is a poisonous dose, although each dose may not be poisonous; it is requisite, in such a case, that the date of the prescription be recent, within a certain number of hours, otherwise it cannot be dispensed. But in this country such a prescription is made up repeatedly without the physician's sanction, and a course of medicine is often applied to other uses besides that for which it was originally intended. I should think that a variety of such points might be introduced into the Bill with advantage to the public.

2412. *Chairman.*] Do you not think that by elevating the character and intelligence of the chemists and druggists they would be more able to consider the best method of introducing these additional reforms which you desire, and that consequently this Bill would be a step in the right direction?—Yes; but then I would wish to qualify my affirmative answer to that question by recurring to a fact which cannot be lost sight of, that the chemist and druggist and the humbler class of general practitioners, are now competitors; that you cannot safely legislate for the one without bearing in mind the interests of the other, and also the safety of the public.

2413. But do you think any class of the community has a right to complain because another class of the community desire to improve their education in that branch of the profession which belongs to them?—No; but this is not a question entirely of education, it is one of privilege, of status, and of position.

2414. The only privilege consists in the assumption of a name implying that a certain amount of education is possessed; is that an unfair privilege in your opinion?—Of course, if it is reduced to that, it ceases to have any value or any evil; but I suppose it must have a deeper object in view.

2415. This Bill is reduced to that; it simply gives a privilege to a person who is educated in a particular manner, of calling himself by a name implying that he possesses that education which is required, and it prohibits a person who has not had the education from deceiving the public; there is no prohibition to practice as a chemist and druggist, provided the party does not deceive the public by professing to be a chemist and druggist; this being intended as a first step towards an improvement in the character and education of the body, can you conceive any measure which shall do less than that?—Of course different parties may think differently of a measure from reading it. I have read the Bill, and the more I have considered, it the more do I feel impressed with the belief that this is not the proper time for passing it.

2416. Could you state what amendments you would make in the Bill?—I could state some.

2417. Do you not think that a simple measure restricted to the elevation of the qualifications of the body would be all that could be done?—I think that no measure of this kind could safely pass through Parliament without submitting it to the same Committee that inquire into the subject of medical reform, the two subjects being inseparably commingled.

2418. But many of that Committee are now no longer in Parliament?—But I am supposing a new medical reform measure and a new medical reform Committee.

2419. *Mr. Wyld.*] You see the principle of registration is enunciated in this Bill; do you not think that that is a step in advance?—Yes, I think so. That is one of the details of the Bill which would be unobjectionable; it would be essential in any measure of the kind.

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2420. Mr. Farrer.] Do you consider that the consequence of the chemist being subjected to an examination, and being entitled to place over his door the words "Pharmaceutical Chemist," would have the effect in the minds of some people of placing him on a par with medical men in general?—It would have that tendency in the present state of public knowledge and feeling, and in the present distracted state of the medical profession, but if a suitable measure of medical reform were passed, I think that evil might be more easily prevented.

2421. But you would require a suitable measure of reform?—Yes, I wish to see medical reform as a preliminary to any legislation for the chemists and druggists.

2422. But your impression is that for the present, until some further measure of reform has been passed, the effect of this Bill will be to bring the chemists and druggists into collision with the medical men?—I have no doubt of that; into greater collision, I should rather say.

2423. Is it the practice of medical men generally to send their prescriptions to particular chemists, or to leave the patient to go where he thinks proper?—I am not able to answer that question: I can only answer for myself.

2424. But you would prefer your patients going to chemists of celebrity, would you not?—I would never wish to suggest at all; supposing there were an equal number of respectable chemists near at hand, I think the selection of the shop should be left to the discretion of the patients, to prevent its being supposed that the medical man had a common pecuniary interest with the dispenser, which would be unprofessional.

2425. And you would feel no apprehension that your prescriptions might not be properly compounded, in consequence of their being taken to a chemist who, perhaps, had assistants in his shop who were not perfectly competent to compound the drugs?—Such things might occur, but I think intelligent patients are generally sufficiently alive to their own interests, to go only to a shop that is well provided.

2426. Do you consider that the generality of patients, among the poorer classes particularly, can distinguish between one class of chemists and another?—No; I think the poorer classes must either employ the chemist as physician and dispenser, or must go to the humbler class of general practitioners; the class of men with whom I have just stated the chemists are in open rivalry at present.

2427. You allude to men who act as apothecaries as well as chemists?—There are various degrees. From choice or necessity, many medical men supply medicines to their own patients, and others, in addition to that, sell medicines just as a chemist and druggist would do, and in some neighbourhoods we cannot conceal the fact, the medical practitioners and the chemists are rivals in counter-practice.

2428-9. Then you are decidedly of opinion that it would be desirable that that rivalry between the regular chemists and druggists and what you call the general practitioners, should be got rid of?—That it should not be unjustly increased, to the injury of the latter, which I think would be the tendency of this measure, if it were passed at this particular time, and without certain restrictions and additions.

*Henry Ansell, Esq., M.R.C.S., called in; and Examined.*

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2430. DO you agree generally in the objections which have been urged against the Bill?—I agree very closely with what has fallen from Dr. Cormack just now.

2431. Then you admit, I presume, that it is desirable to improve the education of chemists and druggists?—I am a friend to the general education of chemists and druggists certainly.

2432. Do you think that that education ought to comprise chemistry, pharmacy, materia medica, and botany?—Certainly not materia medica, as we understand the term conventionally.

2433. Are you aware that in the lectures which have been recently introduced for chemists and druggists, the course of materia medica has been so altered as to suit their particular acquirements?—I am aware that it has been considerably altered; that it is different as respects the chemists and druggists and the medical practitioners, but still it implies a certain amount of knowledge of the virtues of medicines and the names of diseases.

2434. What is the meaning of the term "materia medica"?—The materials or articles employed in medicine.

2435. Ought not a chemist and druggist do you think to be acquainted with the



the materials which he sells, many of which have poisonous or other strong properties?—In a wholesome condition of the medical profession, with the duties of the chemist and druggist properly defined, no doubt, I would answer that question in the affirmative; but I apprehend in reference to this Bill that that is not exactly what is intended, and I should say it is dangerous to give to the chemist and druggist the status, and an assumption of knowledge which after all must be a limited knowledge of the virtues of medicine, in the present state of the profession.

2436. But seeing that that is restricted to his own particular department, and that toxicology is omitted in order to prevent any misunderstanding, do you think absolute ignorance is better than that amount of knowledge which is proposed by this Bill?—I do not quite understand the premises.

2437. The premises are, that the branches of knowledge which it is proposed to teach, do not comprise the theory and practice of medicine; on that hypothesis, do you consider that absolute ignorance in chemists is a smaller evil, than the introduction of a Bill of this description for their improvement?—I should say certainly not; but I cannot grant the premises under this Bill, because you do not define what *materia medica* is; I will explain that *materia medica*, as we understand it, is a knowledge of the properties of medicines, their doses, and their application in the treatment of diseases; I understand from the Committee, that there is some limitation in the amount of knowledge that is to be taught under this Bill, but the definition of the term "*materia medica*," and the amount of knowledge of it which is to be required, will rest, I apprehend, with the council of the Pharmaceutical Society.

2438. Mr. *Wyld*.] On the examiners?—On the examiners.

2439. *Chairman*.] You are alluding to the courses of *materia medica*, instituted for the express benefit of the medical profession in the medical schools; but seeing that there has been no pharmaceutical school in this kingdom until within the last few years, is it to be expected that in the absence of such a school the courses of *materia medica* should have been specially adapted to the chemists and druggists, and would not a Bill of this description, which raises the demand (if I may use the term) for a chemical *materia medica* course, have a tendency, in your opinion, to induce the lecturers to alter their lectures to suit that demand?—I think that for any body of men so partially educated in medical matters, to hold a diploma which implies that they have been examined in *materia medica*, would be a very dangerous thing for the public. I think the present state of ignorance under existing circumstances, is less dangerous, and fraught with less evil to the public than such a status as you would give the pharmaceutical practitioner under your Bill. I go upon this principle, that it is better to send the poor, or those who would go to the chemist or druggist, to an old woman who knows nothing but what her innate sagacity teaches her, than to a partially educated man, who is a quasi medical practitioner, to deal with the very violent and active agents with which he necessarily deals, behind his counter.

2440. Do chemists and druggists at the present time practise medicine, or prescribe to any great extent?—That question must be answered certainly, in the main, in the affirmative; but there are very considerable exceptions; it rests wholly with the chemists and druggists. Take, for example, Godfrey and Cooke's; they would not think of answering a question to an individual as to what is good for a complaint. Take William Allen's, of Plough-court; they would not think of prescribing for a pain or an ache, were it ever so simple; it would not answer their purpose. But it has been stated in this room, that in smaller concerns, in the back streets of the Metropolis and small towns, the reverse would be the rule, because it is the interest of the party. I know from practical observation, and from a thorough knowledge of the subject, that it rests wholly with the individual behind the counter whether he chooses to practise as a medical practitioner or not.

2441. Does that practice exist more among the superior chemists and druggists, or among those who are very little educated?—That is a question that cannot be answered quite directly; it depends upon the conscience of the individual. A man in a low neighbourhood, who is continually applied to to prescribe medicines, if he be a very ignorant, but at the same time a very conscientious man, will either not do it at all, or, if he does it, he will do it in a very limited degree; but if he be a reckless man, he will do it in a great degree, and, unfortunately, the

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interests of mankind will prevail; and many do pursue the latter course, and a great deal of evil results from it.

2442. Is not an uneducated man more likely to be ignorant of the responsibility he incurs in doing that for which he is incompetent, than one who has been properly trained, in the apprehension, that, for a responsible duty a corresponding education is required?—No doubt; but more evil, in my opinion, would be done by partially educating in medicine a large body of men than is now done by the grosser ignorance of the few.

2443. *Mr. Wyld.*] Have you any objections to state to the Bill?—I have this general objection, which has been offered by Dr. Cormack and others, that the Bill will have a tendency to create a closer competition between the pharmaceutical chemists, as they will be termed, and the humbler classes of the medical profession.

2444. *Mr. Hindley.*] The general practitioners?—The general practitioner; and that the result of that will be, that there will be a large proportion of counter practice, and not only that, but that practice will be gradually done by the pharmaceutical chemist. I believe more evil will be done by the extension of counter practice under that kind of authority, than any possible good that can be done by an enlarged education of those who so practise, just upon the principle, that you cannot give them education enough to render them safe practitioners even as far as they go.

2445. *Chairman.*] Are you aware that any chemist who may visit a patient after this Bill shall have passed, will, by the existing law, be liable to a prosecution by the Apothecaries' Company?—Not if he could show that he was practising as a pharmaceutical chemist. If a physician, for instance, requested his patient to send for a pharmaceutical chemist to carry out his views and objects, that pharmaceutical chemist would not be amenable to the Apothecaries' Company.

2446. Did you ever hear of a physician sending for a chemist?—No; I have known of pharmaceutical chemists going to the patients of physicians to answer questions respecting their prescriptions and to perform other offices; and I believe that that kind of duty would immediately be very materially extended under this Bill.

2447. What offices do you allude to; applying leeches?—Yes.

2448. Do you think that is an operation that a chemist ought to be restricted from performing?—I do think so; for I think that if a chemist goes to apply leeches he is led to alter the prescriptions of the physician, or to prescribe for the patient.

2449. But in the absence of the chemist the cook or housemaid would apply the leeches?—No doubt of it.

2450. Then does the applying of leeches imply medical practice?—No; if the cook were asked a question about medical practice she could not give any information; but a pharmaceutical chemist would be attended to.

2451. *Mr. Hindley.*] Your general objection to the Bill is, that you think it would cause the pharmaceutical chemist to trench upon the practice of medical practitioners?—I think you must take society in two points of view with reference to this Bill; in the upper classes the effect of it would be, that gradually the pharmaceutical chemist would take the place of the existing general practitioner or the former apothecary; at first, he would perform trifling offices for the physician and pure surgeon, the prescribing practitioner, and then that would gradually be extended. I think, in reference to the whole subject, that the effect of the Bill would be just that which has been described by Dr. Cormack. Then my impression is, that the time would come, and very shortly, when you would be asked for a new Bill, on the ground that the public had sanctioned the practice of the chemist and druggist, or rather of the pharmaceutical chemists; and that the same arguments would prevail, or nearly so, which prevailed in 1815; and that the Legislature would be told, that if it was an evil, the practice was in the hands of this class of practitioners, and that therefore they must be better educated; and you would then be asked for a Bill to sanction their being educated in anatomy; that would be the first thing that would follow this Bill as an almost necessary sequence; and I should rather call this a precursory Bill to institute a new class of practitioners.

2452. *Mr. Wakley.*] Suppose the provision was put at the end of clause 11, which I have suggested, and the examiners were positively interdicted from examining



examining the candidates as to their knowledge of the theory and practice of medicines and surgery, do you believe that the effect of the Bill would be such as you have described?—I think that is the best suggestion I have heard, with a view to free the Bill at all from the absolute and necessary evils which must result from it unless there be some such provision, but I do not think it will supersede the evil of the Bill.

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2453. Allow me to suggest to you that already the Pharmaceutical Society is in existence, and that it is empowered by charter to institute certain examinations. Suppose the council of the Pharmaceutical Society should say, this Bill not being enacted into a law, and knowing that counter practice exists to a considerable extent, that they think they are justified in carrying their examination still further than they do now, and in examining the candidates in medicine and surgery; what do you conceive would be the effect of such a practice?—I think at present we have the safeguard of the Apothecaries' Act. I think the decisions of the judges, to a great extent, after considerable difficulty, have settled the interpretation to be put upon that clause in the Act which refers to the dispensing of medicine and the practice of the chemist and druggist; but I think the moment this Bill is enacted, the judges of the land will have to reconsider the whole of that question. That is, that cases will come before them in this shape; that whereas, individuals have practised as pharmaceutical chemists, which the Society affirm to be the practice of pharmacy, because, in the preamble of this Bill we have pharmacy mentioned, and we have not only the words, "the practice of pharmacy," in the preamble of the Bill, but we have the words, "pharmaceutical chemist, and for other purposes connected with pharmacy."

2454. *Chairman.*] You are referring now to the old Bill; will you look at the present Bill (*handing it to the Witness*)?—I am happy to see that so far the wording of the Bill is altered, but I do not think that the principle is altered. I believe the question will again arise, "What is carrying on the business of a pharmaceutical chemist," and the distinction to be drawn between that and the practice of medicine. It will rest wholly with the Pharmaceutical Society to determine whether a particular act is a practising of pharmacy; and if any difficulty arises it must still go before the courts, and the same question will have to be settled in reference to this Bill as that which has been already settled with reference to the Apothecaries' Act.

2455. *Mr. Wakley.*] Do you not consider that this Bill would very much facilitate coming to a decision as to what was practising as an apothecary; and when the judge, on reading the ninth clause, would discover that every person may be registered under this Bill, except he be a qualified member of the medical profession; and if it were proved before him that a person had been practising medicine, from which it would follow that he could not register under this Bill, would it be *prima facie* established before him that the party had in reality been practising illegally; and would it not be a guide and an aid to him in coming to his decision, which he does not now possess?—I think the effect would be otherwise. I would appeal to Mr. Wakley, to the cases which have been decided where individuals have been acquitted who acted as chemists and druggists, and the Apothecaries' Society have been unable to sustain the action against them; and the question here would be widened very much, because at present they are practising without any status or education whatever. Now here, it is true, the Act of Parliament will show to the judges of the land that the individual had no right to practise as a medical practitioner, but he will tell you that he is not so practising, but that he is practising as a pharmaceutical chemist. I mean to say the question will arise, "What is the distinction?"

2456. Then the judge would have to add a definition to the one we have already got; but you will see this Bill is designed for the registration of chemists and druggists, and here is a provision absolutely excluding the medical practitioner from so registering himself?—I have not the least doubt of the distinction being drawn; I feel, and those with whom I act (for I am only an individual representing a body of gentlemen) feel that this Bill will not fail to draw the line of distinction as between the pharmaceutical chemist and the medical practitioner, but that it will establish for the pharmaceutical chemist the right of practising as such.

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2457. Mr. *Wylde*.] As a pharmaceutical chemist?—As a pharmaceutical chemist.

2458. Mr. *Wakley*.] What clause of the Bill has led you to form that opinion?—No clause in the Bill, but the present state of the medical practice. What clause in the Bill is there to prevent it? If you would show me a clause in the Bill, or would introduce a clause to say that a person being a physician or a surgeon shall not employ a pharmaceutical chemist in any office which is properly the office of an apothecary at the present day, then I would say the difficulty is to a great extent done away with, because the fact of the prescribing practitioner employing a pharmaceutical chemist will be one of the circumstances which will tend to establish the pharmaceutical chemist as a practitioner, and will render it necessary that he should be still further educated in other branches of medicine, as time goes on.

2459. But you are aware that the prescribing practitioner is allowed now to employ a pharmaceutical chemist or anybody else he pleases for certain purposes?—But under this Bill there would be the education, and a council to support them and to define what it is that constitutes the practice of pharmacy.

2460. What you fear is that the terms “apothecary,” under the operation of this Act, and “pharmaceutical chemist” will be so blended and fused that the judges will have great difficulty in determining between the two?—Not exactly so. I do not think the judges will have any difficulty in determining the line of demarcation, but I think they will have great difficulty in determining what it is that belongs to the duty of the pharmaceutical chemist, and where the line should be drawn, because it is maintained before this Committee that it is impossible to prevent counter practice.

2461. You are aware that a kind of definition in the Apothecaries’ Act is given as to what the duties of an apothecary are?—Yes.

2462. Would you contend there should be a definition in this Bill as to what should be the duties of the pharmaceutical chemist?—I think it would be a great improvement in the Bill if you could state what are the strict duties of a pharmaceutical chemist.

2463. Has the attempt been made by you or anybody else, to your knowledge?—The attempt has been made to do it, and it has always failed; but how and why? Not from any difficulty in drawing a clause that would have the effect desired, but in drawing a clause that would satisfy that class of chemists and druggists whose interests are affected by it.

2464. And the profession and the legislature at the same time?—No, I do not think the profession or the legislature makes the difficulty; the difficulty is that a clause cannot be drawn so as to satisfy the chemists and druggists.

2465. Mr. *Wylde*.] What you wish is a definition of duties?—Yes. I admit the difficulty, and I believe I must add the impossibility under existing circumstances of defining those duties; but I do not admit the difficulty, supposing you consider this subject in connexion with medical affairs generally; then I say it would be a very easy matter indeed.

2466. Your objection to the Bill consists then in its being only a part of what ought to be a great whole?—My objection to the Bill is, that in the present condition of the medical profession, these laws give power to the chemists and druggists to become a new class of medical practitioners. I object to this Bill as a piece of legislation in a cycle. We all look forward to progress, and in our profession it has been a state of progress for many years—not satisfactory, but still a state of progress. Now by this Bill you are going to carry us back to previous to 1815 and to begin again. That is, the Bill will create the necessity, by constituting this class of individuals medical practitioners, for the legislature to admit that inasmuch as they are so, they must be better educated than this Bill supposes. You are legislating in a cycle.

2467. *Chairman*.] You consider you have a right to exert yourselves in the way of progress with reference to the members of your own body?—Yes.

2468. And you deny that privilege to the chemists and druggists?—No, not at all.

2469. But you say that by getting them better educated and giving them a status



status they would injure you, and therefore you oppose their attaining this better education and the status which always must belong to education wherever it exists? —No. I have admitted the difficulty of a definition, but I have admitted that if you give us a clear definition of what the duties of a pharmaceutical chemist are, we are the warmest friends in favour of a better education.

2470. But when strong prejudices exist, is it not always requisite to take a gradual method of overcoming them; and do you not think that this Bill is calculated to do that by in the first place defining that the body of pharmaceutical chemists is not a medical body, that no medical man can belong to it, and that by bringing up young men under those regulations it would be much more easy in 10 or 15 years to introduce a Bill carrying out all you desire?—No; I think the difficulty will be increased in consequence of the new vested interests which will arise under this Bill, that is the clearer right of being practitioners as pharmaceutical chemists. I may state that I cannot quite agree with all I have heard stated here with respect to the difficulty of restricting counter practice. I have already said my conviction is, that it rests with the individual, and that certain classes of individuals do not pursue counter practice, and find no difficulty in avoiding it; and I mean to say, that where they do avoid it, the public is benefited throughout. I think it would be attended with great advantage to the public, if the chemists and druggists were peremptorily prohibited from prescribing or answering questions as to diseases. I go nearly as far as Dr. Hall on that point, but not quite.

2471. Mr. Wakley.] Are you satisfied with the state of the law and practice in France?—I am not acquainted with it. I am inclined to think it is better than it is here; but whether it is perfect or not, I cannot say.

2472. If a line could be drawn, there is no doubt it would be of immense importance to the public?—Certainly.

2473. Mr. Wyld.] And you seem to think there is no difficulty in drawing the line?—I do not say that; I admit there is a difficulty in it, but I think that with a Pharmaceutical Bill in connexion with a Medical Bill, the difficulties are not so great as they appear at first sight.

2474. Chairman.] Have not the medical profession been for many years endeavouring to introduce a Medical Reform Bill, and have they not always failed, on account of disagreements among themselves?—They have.

2475. And are they any nearer to the attainment of their object now, than they were 15 years ago?—I believe they are; I think there is better information on the subject, and that the time will come under favourable auspices, and that at no distant period, when they will attain it.

2476. Has there not been almost annually, a Medical Bill introduced until this year, when it seems to have been given up in despair?—Yes, I believe there has.

2477. Have you anything else to state; would you object to furnish the Committee with the details of what you call the duties of a pharmaceutical chemist?—I should have no objection to do so; I do not know that I could draw a definition, but I will see if I can do it before the Committee meet again.

H. Ancell, Esq.,  
M. R. C. S.

29 April 1852.

*Veneris, 7<sup>o</sup> die Maii, 1852.*

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## MEMBERS PRESENT.

Mr. Jacob Bell.  
Mr. Hindley.  
Mr. Ewart.

Sir W. G. Craig.  
Mr. Farrer.  
Lord Burghley.

JACOB BELL, ESQ., IN THE CHAIR.

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*John Propert, Esq., called in ; and Examined.*

*J. Propert, Esq.*  

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*7 May 1852.*

2478. *Chairman.*] YOU are practising as a general practitioner ?—I am.

2479. And are a Licentiate of Apothecaries' Hall ?—No ; I was in practice before 1815.

2480. You are a Member of the College of Surgeons ?—I am.

2481. Have you any observations to make respecting the Pharmacy Bill ?—I highly approve of the step that is taken towards improving the condition of chemists and druggists ; I think it is a step highly necessary to be taken.

2482. Have you attended the meetings of the Pharmaceutical Society occasionally ?—Occasionally, I have, but not of late.

2483. Have you generally expressed an approval of the efforts which have been for some years made to introduce an improvement in the education of chemists and druggists ?—Certainly ; I highly approve of what has been going on with a view to improve the condition of chemists and druggists.

2484. In reference to education ?—In reference to education.

2485. Do you think that a chemist and druggist, as a dispenser of medicines, requires education ?—Certainly.

2486. And do you think that the law should provide that no person should assume the name of chemist and druggist, and profess to be one, without having passed an examination ?—Certainly.

2487. Do you think that these examinations, and that the regulation of the body, should be conducted by chemists themselves ?—I am not prepared to give a decided opinion upon that question. My impression is, that they ought to be a joint Board.

2488. Do you think that if the chemists appoint a Board of Examiners, and if upon that Board there are appointed medical professors for materia medica or chemistry, as the case may be, that would afford a sufficient guarantee to the public ?—I think the Board ought to be composed of a certain number, consisting of medical men, professors of chemistry and professors of physic.

2489. Do you think that in the curriculum of education proposed, namely, chemistry, pharmacy, materia medica, and botany, there is anything of a medical character ?—I think there is rather too much in it of a medical character ; toxicology, I think, should be left out.

2490. That has been left out ?—I do not quite approve of the term “ pharmaceutical chemist.” I think that belongs rather to the apothecary.

2491. Of course you know the origin of the term ?—Yes.

2492. Does it not refer to drugs ?—I think it more belongs to the compounding of medicine ; the term “ pharmacy ” belongs, I think, to the apothecary ; at least, so it strikes me.

2493. Has it not always been a term which has been applied to persons engaged as chemists and druggists ?—Never to my knowledge ; I always thought it belonged exclusively to the apothecary.

2494. Did



2494. Did not the term "apothecary" originally belong to a person who was a compounder of medicine?—One who administers medicine; I was not aware of its application to a chemist and druggist.

2495. Supposing that term to be generally understood as being synonymous with the term chemist and druggist, what objection do you think there is to it?—Only that it invades their ground, as it strikes me; as I have said before, I think it belongs exclusively to the apothecary.

2496. But the terms of the Act, excepting any person who is a member of the medical profession, excluding such person from the operation of the Act, preventing his belonging to the body, does not that create a distinction?—But even then I think the term will lead the public astray; they will not stop to inquire what is the meaning of it. I think that the term "pharmaceutical chemist" will make them apt to think that the chemist and druggist is an educated man; I do not mean as to compounding drugs; but I apprehend they will fancy that he is an educated man with reference to the treatment of diseases.

2497. Does the term "pharmacy" imply any treatment whatever?—No, it does not; but it has always belonged to the apothecary; and I think the public will take it into their heads that a pharmaceutical chemist is something beyond a compounder of medicine.

2498. Is that because, at one time, the apothecary was the only person who practised pharmacy?—Yes, I believe so.

2499. Does it follow from that that every person who practises pharmacy must be an apothecary in the modern sense of the term?—No, I do not think it does. We have been in the habit of looking on pharmacy with reference to apothecaries; and I think that the term "pharmaceutical chemist" will lead people to believe that the chemist has been more educated as to the treatment of disease than those who have gone before him as chemists and druggists.

2500. Have you any objection to the passing of this Bill in its present shape, provided the amendments are made in it which have been suggested?—In its present shape, decidedly. My opinion is founded upon nearly 40 years' experience; if this Bill passes without any clause being introduced into it prohibiting chemists and druggists from practising as professional men, I have no hesitation in saying, and I say it after nearly 40 years' experience, that it will be the ruin of a tenth part of the present practitioners in medicine.

2501. Mr. *Hindley*.] If such a clause were introduced, would your objections to the Bill be entirely removed?—Yes; but I should still, as a general practitioner, object to the passing of this Bill, until a general measure of medical reform is brought forward. I highly approve, however, of the principle of the Bill, provided such a clause is introduced, but I think that the time has not yet arrived for it.

2502. *Chairman*.] If this Bill were to pass, do you not think it might be engrafted on any measure of medical reform that might subsequently be introduced?—I think that a medical reform Bill is of much more importance than a chemists' and druggists' Bill; I have no objection to their passing, *pari passu*.

2503. Would not the passing of this Bill remove one obstacle in the way of passing a general reform bill?—I think that depends very much on the chemists and druggists themselves; I do not believe that medical men would object to this Bill for a moment, provided the chemists and druggists do not encroach on their ground.

2504. Mr. *Ewart*.] Have not great difficulties heretofore occurred which have prevented the passing of a general medical reform Bill?—That has been because unfortunately medical men cannot agree among themselves.

2505. Are you aware that attempts were made 18 years ago to introduce a medical reform Bill in the House of Commons?—Yes.

2506. And are you not aware that a Committee of the House of Commons sat upon it for two or three sessions?—Yes.

2507. *Chairman*.] What you have stated about the probable effect of this Bill, if it should pass, is your own opinion merely?—Yes, it is my opinion, founded, as I have stated, on nearly 40 years' experience. I think that if you introduce a clause preventing chemists and druggists from interfering with medical men, no objection would be made to the Bill; but if such a clause is not introduced, I have no hesitation in saying that the effect of the Bill will be most

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injurious to a certain class of medical practitioners; and that it will also be dangerous to the public. I am, I believe, the oldest practitioner now in London, although not the oldest man, for I began practice very early; and I have no hesitation in saying, that I have known the worst consequences result from chemists and druggists practising as medical men; I have known many fatal cases to arise from it.

2508. Do you consider, that on account of the existence of an abuse at present, the passing of a Bill, the object of which is to promote the better education of chemists and druggists in their own legitimate pursuit, will increase that abuse?—I am afraid it will have that effect, and for this reason: you will give them an appearance of being men of education; the public are either so ignorant or so idle that they will not inquire what is meant by the term “pharmaceutical chemist,” they will see a blazing diploma in a shop and they will at once infer that the party to whom a diploma is given is an educated man. I think that by passing this Bill the public will run a much greater risk than they do at present; they will not take the trouble of inquiring; they will be led away by the diploma, and will say, “I saw his diploma, which is a proof that he must be an educated man.” I think, therefore, it is most important that some such clause as that I have suggested should be introduced.

2509. Have you any other suggestion to make to the Committee?—No; I wish the Committee distinctly to understand, that I have no objection to this Bill provided it is put on a proper footing, and if you prevent chemists and druggist from practising as medical men. I say, that if this Bill passes it will, in my opinion, do an enormous deal of mischief, and mischief to a much greater extent than that which has hitherto occurred, because it will lead the public to believe that the chemists and druggists are a class of men who have been educated in, and have acquired a knowledge of, the treatment of diseases.

2510. In the absence of that, do you think that the education of chemists and druggists is possible?—Yes; I highly approve of it.

*Henry Ancell, Esq.*, called in; and further Examined.

*H. Ancell, Esq.*

2511. *Chairman.*] I BELIEVE you have prepared a clause with a view to the restriction of irregular practice?—Yes; at Mr. Wakley’s request I have drawn a clause with that view; but perhaps before I read it to the Committee I may be permitted to advert to one part of my evidence as to which, although it has been correctly reported, there may be some little misapprehension. In the evidence given by Dr. Cormack, it was suggested that a competition would be instituted as between the pharmaceutical chemists and the medical practitioners, and I made use of the term, “the humbler classes of the medical practitioners.” Mr. Wyld then put a question to me, “You mean the general practitioners?” That conveys to this Committee, I think, an erroneous impression. I meant to say as between the pharmaceutical chemists and the practitioners in medicine who practise among the humbler classes of society, and I apprehend that was also Dr. Cormack’s meaning. We do not wish to convey to the Committee a notion that it will create a competition as between the general practitioners and the pharmaceutical chemists, but rather as between the profession and the pharmaceutical chemists; it is that the prescribing practitioner has as much to do with the humbler classes of society, or might have as much to do with them as the general practitioner has.

2512. But what you are afraid of is, that injury will be sustained by those general practitioners who keep open shops and practise among the poor, is it not?—As a body, that is not our main objection. Our main objection to this Bill is, the incalculable mischief which, from our intimate medical association with the community, we know must accrue to the public from its passing into an Act.

2513. Are you speaking of mischiefs which you know do occur at this time?—Yes; we know them to occur at this time, but to be restrained to a certain degree; and we believe that this Bill is calculated to withdraw those restraints to a great extent.

2514. To what restraints are you now referring?—I refer particularly to the restraint of the chemist and druggist having no status whatever as a medical man, nor any ground upon which he can offer to the public the pretension of a status.

2515. Do



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2515. Do you think that poor people know anything about status at all; do you think they know the meaning of the word, or that they would recognise any distinction between a chemist who has a diploma and one who has not?—I am not referring to the poor only, but to a class above them also; and it appears to me that the possession of a diploma would have very great weight indeed, and that people would not stop to inquire exactly what it meant.

2516. I think you have heard a member of this Committee say that he has occasionally gone into a chemist's shop to get a draught?—I have.

2517. Do you wish to prevent such a thing as that from being done?—My opinion is that in a wholesome state of the profession there could be no objection whatever to that; in the abstract there is no objection to it, but I think there is a great objection to legalising it in any way.

2518. Are you not aware that the object and intention of this Bill is to introduce that wholesome state of the profession to which you refer, by giving the chemists a status merely in their own pursuit, and by excluding from their body any person who has a claim to be a medical man?—I believe that that is the honest intention of the parties who are promoting this Bill, but my humble opinion, and the opinion of the body with whom I act is, that they all mistake the effect which the Bill will have in that respect; because we consider that the operation of the Bill will be this: that whereas the pharmaceutical chemists are to be governed by a representative council that representative council, we have a right to assume, will represent the feelings and wishes of the general body of chemists and druggists, and we know perfectly well that a very large proportion at all events, of that general body, desire to practise physic; the aim and object of a great many of them is to practise physic. Now if that should be the opinion of the general body, and if that should prevail in any future council of the Pharmaceutical Society, then instead of restricting the materia medica lectures to a knowledge of the materials of medicines, they would embrace therapeutics.

2519. *Mr. Hindley.*] Have you prepared a clause to guard against this evil?—I have.

2520. Perhaps you will have the goodness to read the clause?—We would suggest that the following clause should be introduced into the Bill: “Provided always, that it shall not be lawful for any individual registered under this Act to visit or to prescribe for the sick or maimed at their own habitations, or to visit and perform any office appertaining to the duties of a surgeon, man-midwife, or legally qualified medical practitioner, or to meet in consultation any legally qualified medical practitioner, with a view to perform any medical or surgical office, or to administer or prescribe any medicines under the direction of such legally qualified medical practitioner; nor to prescribe, nor to administer medicines or remedies in their own houses or shops for any injury or internal disease tending to shorten life, or cripple or maim Her Majesty's subjects, nor to prescribe, administer, dispense, or sell for medical use any virulent poison or poisonous medicine or compound, unless prescribed by a medical practitioner.” Now in proposing that clause we beg it to be understood that it has reference to the existing state of things; we do not believe that so stringent a clause, or probably that any clause would be required if a pharmaceutical Bill were carried through together with a proper measure of medical reform.

2521. *Chairman.*] In the measure of medical reform of which you spoke, would you propose to introduce some clause imposing a restriction upon chemists and druggists?—I think that some clause of that kind would be necessary. I think there should be a modification of the existing clause, and such modifications as would leave the chemists and druggists at full liberty to pursue the calling of a chemist and druggist in a legitimate way.

2522. But you would propose that there should be a restriction upon those giving advice, or attending in any way like the medical practitioner?—Precisely.

2523. *Mr. Hindley.*] Have you shown this clause to any of the officers of the Pharmaceutical Society?—Not to any; it has been only prepared at the suggestion of a Member of this Committee, who wished to know if I would draw up such a clause.

2524. Would you have any objection to let the clause end with the words “such legally qualified medical practitioner?”—All I can say about it is that

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the introduction of that portion of the clause would, in my opinion, very materially amend the Bill in the way of rendering it a safer measure; but I think that the public interests require that the further portion of the clause should be introduced into the Bill.

2525. Do you not think there would be a difficulty in carrying out the latter part of the clause, with reference to what the chemist does in his own shop?—Yes; I know there is a difficulty under existing circumstances.

2526. Upon the whole, do you think that the parties with whom you are acting would be satisfied if the clause stopped there?—I should say that the parties with whom I am acting wished to be understood as in no way opposing the principle of educating chemists and druggists; so far from opposing it they are favourable to it. We are in the abstract favourable to the principle of this Bill, but under the existing circumstances of medical practice, and of medical affairs generally, we consider it most inexpedient that the Bill should pass at the present moment.

2527. *Chairman.*] You think that the Bill would injure the general practitioners?—We do not so much think that it would injure the general practitioners as that it would injure the public interests; our experience leads us to the conclusion that it would increase the amount of sickness and mortality among Her Majesty's subjects.

2528. When you say that your experience leads you to that conclusion, can you give the Committee any information respecting any measure which has ever been introduced, or tried, in which there has been so distinct a line of demarcation drawn as there is in this Bill between the medical practitioner and the chemist?—No; I cannot.

2529. Then how can your experience tell you that this Bill, if it should be passed, will have any such effect as that which you anticipate, this being a Bill containing a provision which is altogether new in this country; a positive line of demarcation between the functions of the one class and the functions of the other; this being an experiment which has never yet been tried, how can your experience give you any information as to what the effect of it will be?—Because the same parties are to pursue their business as they pursue it now, only that the term "pharmaceutical chemist" is to be substituted for that of chemist and druggist.

2530. Whatever Bill is introduced, the parties who are already in business would, of course, be permitted to carry on their business as they have hitherto done, as no Act of Parliament passed on the subject would be allowed to have a retrospective effect; but do you not think that those persons who had such an education as is contemplated by this Bill would avoid entering into that which is not their legitimate practice?—That is upon the assumption that the council and examining body of the Pharmaceutical Society adhere strictly to the principle of educating them in pharmacy or chemistry, without educating them in the practice of medicine; but I do not think that you have a right to assume that under this Bill.

2531. If the examination be restricted, so as not to include the theory of the practice of medicine, or the practice of surgery and midwifery, the word "toxicology" being omitted, would that be satisfactory to you?—You would still then have the words "materia medica," which, conventionally, mean a knowledge of diseases, and the application of medicine to diseases.

2532. If the word "therapeutics" were added in that exclusion, would that, do you think, answer the purpose?—I do not think it would; with the educated classes I think it would answer the purpose; they would inquire into it; but I do not think it would answer the purpose with reference to the public generally. I may state that the Bill draws a distinction, no doubt, between the medical practitioner and the pharmaceutical chemist; but I do not think that the mere drawing of that distinction will be sufficient to prevent a pharmaceutical chemist from becoming a medical practitioner. We all know that the designation "apothecary" has become almost obsolete; that is to say, the public and the medical profession have both got disgusted with the word "apothecary;" if you want to institute a new class of practitioners, one of the most efficient means of doing so is to create a new name; and I think that you will be facilitating an establishment of a new class of medical practitioners if you render current the term "pharmaceutical chemist."

2533. Would your objection be removed if the term "pharmaceutical chemist"



chemist" were taken out of the Bill, and the words "chemist and druggist" substituted?—My opinion is, that as far as our objections to this Bill go, that would be an amendment, but we should regret to see the Bill mutilated in that way; we would prefer that the term "pharmaceutical chemist" should remain if we saw that there was any safeguard for the public.

2534. Do you wish this Bill to be thrown out?—At present, decidedly.

2535. Mr. *Hindley*.] But you do not wish that the Bill should be thrown out, supposing the clause you have proposed to be inserted?—No; if that clause be inserted then we have no objection to the Bill passing; but even then we would rather that it did not pass; we think it an impolitic measure at present. Our main objections to the Bill, however, would be met by the introduction of some such clause as that.

2536. *Chairman*.] Have you not for many years been engaged in an endeavour to obtain a Bill?—Yes, we have.

2537. And you wish to get your Bill before the chemists get their Bill?—We wish that no Bill should be passed which we think unsafe as respects the practice of medicine; if this Bill were perfectly safe with regard to that we should then have no objection to it.

2538. Do you think that you are now any nearer to getting such a Bill than you were 10 years ago?—I think we are.

2539. Do you think that there is such an approximation to unanimity between the several medical bodies as would fairly lead you to expect it?—Yes, I think so.

2540. Is it better, do you think, to defer making any reform until that remote period shall arrive, than to introduce a portion of it now?—I really cannot say; it is very difficult to form an opinion on such a point; my own individual opinion is, that we are not far off the period when the medical profession and the Government will agree upon a measure of reform, and that the pharmaceutical chemists will be made parties to it.

2541. Mr. *Hindley*.] I understood you to say just now that your chief objections to this Bill would be removed if a clause similar to that which you have proposed were inserted in it?—If such a clause were inserted into the Bill we should offer no further opposition to it.

2542. Would you have any objection to give up the latter part of the clause, which prevents a chemist from prescribing medicine in his own house or shop; and do you not think that there would be considerable difficulty in carrying out practically such a restriction?—I think I might say that we would give up that part of the clause; I should wish it to be understood that I am here stating only my own individual view, and perhaps the Committee will think it right to ask Mr. Propert his opinion upon that point; it is a very doubtful question.

*John Propert, Esq.*, again called in; and further Examined.

2543. Mr. *Hindley*.] WILL you state what is your opinion as to the propriety of omitting the latter part of the clause which has been suggested by Mr. Ancell?—I most truly disapprove of it. I think it would be most objectionable; all the mischief which I have known to arise from the practice of chemists and druggists, has been where patients have been carried to the shop of a chemist and druggist. I cannot say that I have known many instances, though I have known some, in which chemists and druggists have visited patients; but all the mischief that has been done has arisen in cases in which a child or a man or woman has gone to a chemist's shop, representing very often the case of another person.

2544. If a person having a pain in his stomach goes into a chemist and druggist's shop, and asks what he would recommend him to take, and the chemist recommends a little tincture of rhubarb, you would have him liable to a penalty?—I do not think that the clause would ever be carried up to that point.

2545. But it goes to that extent?—It does, and I think it is necessary that it should; all the mischief that has come to my knowledge within the last 40 years, has arisen from cases being taken to the chemist and druggist's shop, or if not taken there, from a representation of the case having been made there by the friend or the mother, and the medicine being prescribed upon that

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representation. I have known it to be frequently and indeed constantly done ; and I know that in some cases it has been fatal.

2546. In fact, if a man came to a chemist and complained of a pain in his stomach, you would not allow the chemist to give him a dose of rhubarb and magnesia ?—I do think it would come to that.

*Mr. Ansell's Examination resumed.*

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2547. (*Mr. Ansell.*) THERE is one point which I wish to mention ; the Pharmaceutical Society under this Bill claims to be not only a licensing body, but an educating body.

2548. *Chairman.*] At present the society was obliged to establish a model school, because otherwise there were no means by which young men could educate themselves for an examination ; but the society has no desire to continue the school if there were any other means of education provided ; the society expends many hundreds of pounds annually to maintain their school, which they would be very glad to relinquish ; they merely keep it up until the introduction of a law compelling young men to become educated has enabled a school to live on its own resources : would that remove your objection ?—There is nothing in the Bill to prevent the continuance of the Pharmaceutical Society as both a licensing and an educating body, and if that be continued it gives them an immense power and an immense monopoly, which may be used to the greatest injury of the public.

2549. Is there anything in the Bill which gives the society any authority to educate in any way ?—The society is already educating ; there is nothing to prevent it.

2550. Was there anything in the charter to give it anything of an educating character ?—I am not aware that there was.

2551. I may state to you as a fact, that there was not, and that the education of young men was merely a matter of necessity provisionally instituted for the purpose of carrying out a great object, which could not have been accomplished without it :—It has always been held, with reference to our medical institutions, that the examining body and the licensing body ought not to be the educating body. I believe that the history of the London University would show that the Legislature would not have permitted the two functions to be exercised by the same body.

2552. Were you not yourself a chemist and druggist originally ?—I never was a chemist and druggist, although I was in connexion with my brother, who was, and at that time I acted as such.

2553. And were you qualified at that time ?—I was not.

2554. Did you practise medicine at that time ?—I did not.

2555. You never gave any advice across the counter ?—I should be sorry to say that I never did, speaking now after a lapse of more than 20 years ; but I mean to say that in principle I never did ; I always studiously avoided it.

2556. Did you ever visit patients ?—It is a matter of memory, but I do not think that I ever did. I know that on principle I studiously and conscientiously abstained from doing it. Mr. Squibb and Dr. Thomson were my neighbours ; and all patients who came to me were sent to those gentlemen, although I was a medical man, but not fully qualified for a time ; and I believe there is no difficulty in a chemist and druggist carrying out that principle.

2557. Do you not think that by educating the chemists, and by placing them in a better position, they would do so ; and do you not think it is to the interest of the chemists to refer all patients to a medical man ?—That depends on the locality, and on many other circumstances.

2558. In any case where there is a medical man living near to a chemist, do you not think it is to the interest of both that each should perform his own business, and leave the other to perform his ?—In a wholesome state of the medical profession, that would be so ; but at present great difficulty arises in consequence of the competition which exists.

2559. Do you not think that the first step towards introducing a wholesome state of the medical profession is to educate each class in their own particular functions ?—If the education of each class with their defined duties went *pari passu*, but not if you begin with the one class, and allow them to acquire a status as practitioners, and then take up the other class.

2560. Has



2560. Has not the medical profession already an education which gives them a status ; is not that conceded by law ?—No doubt ; but although there is that education, there is not that restriction which is requisite to prevent others who have not that education from practising.

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2561. According to law, a medical practitioner has a complete education, and the chemist and druggist has no education at all ; do you not think that the first step ought to be to place the chemist and druggist in his proper position with regard to education, and then when he is properly educated with reference to his own legitimate functions, to effect an arrangement between the two ?—That brings us back to the original point ; if the chemist and druggist were educated in that which appertains to his business, with a restraint from practising as a medical man, decidedly it would be so ; but as long as the door is open for him to become a medical practitioner, decidedly the existing evils are less than the evils which would accrue to the public under the Bill ; that is to say, the evils arising from a partial education.

2562. Is there anything else which you would desire to state to the Committee ?—No ; nothing further occurs to me at this moment.

*John Propert, Esq.*, called in ; and further Examined.

2563. (*Mr. Propert.*) I STATED to the Committee just now that I would prefer this Bill being put aside until a general measure was brought forward. I wish, with the permission of the Committee, to state my reasons for entertaining that feeling, and they are these : I am very anxious that the chemists and druggists should enjoy all the privileges that belong to them ; I am one of those who think (and I think it is the universal opinion of the National Medical Institute), that medical men should be prohibited from keeping open shops ; that is to say, from keeping shops, and doing that which belongs properly to the business of a chemist and druggist. There are some instances in the country in which you cannot avoid it ; and in small villages and towns medical men must supply people with such drugs as are actually necessary for their use, there being no other place at which they could be procured. But I thoroughly disapprove of medical men keeping retail shops ; and one principal reason why I would wish this Bill to be postponed for the present is, that in any general measure which may be introduced with reference to the medical profession, medical men should be prohibited from assuming the position and character of chemist and druggist ; and that, I think, would tend to promote a much better understanding between the two classes.

*J. Propert, Esq.*

2564. *Chairman.*] Did you see the first Pharmacy Bill, which was introduced last year ?—Yes, I did.

2565. Do you remember the 18th clause in that Bill, which prohibited medical practitioners from assuming the name of pharmaceutical chemists, as a first step towards creating this distinction ?—I believe, now that you call my attention to it, that I do remember it.

2566. Are you aware that that was so strongly objected to by medical men that it was taken out of the Bill ?—As the founder of the National Institute (for I believe I took the chair at Marylebone), I may state that I believe the universal desire of the general practitioners was to do away with the practice of medical men keeping retail shops ; it is *infra dig.* to do so, and I think if it were prohibited there would be a better understanding between chemists and druggists and general practitioners.

2567. Do you see how this difficulty is to be got over ; that on the one hand we are told it is the almost universal desire on the part of general practitioners to do away with such retail shops, and on the other hand that the Bill is opposed on the ground that they are prohibited from assuming the name of chemists and druggists, the Bill leaving them at full liberty to carry on business except as chemists and druggists ?—You are speaking now of a few ; but I think the feeling is pretty general that thoroughly well educated men ought wholly to abstain from having retail shops, and I really believe that, when a general measure of reform is introduced, that will be one of its provisions.

2568-9. Do you think from your experience of what is going on in the profession, that either you or I will live to see such a measure carried into effect ?—I verily believe that not a Session beyond this will pass by without a general

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measure of reform being brought forward and carried out; that is my firm conviction.

2570. Has that not been the case of almost every Session for years past?—No; we never had any one who took it up with sufficient energy. Sir James Graham abandoned it. Sir George Grey told us that Mr. Rutherford was preparing a Bill which would be acceptable to the profession generally, and I have no hesitation in saying, that one of the clauses in such a Bill would be a clause prohibiting legally qualified medical men from keeping retail shops, and I certainly think that such a prohibition would lead to a much better understanding between medical practitioners and chemists and druggists.

2571. Do you know what was the reason why that Bill was not brought forward?—Because those parties are gone out of office.

2572. Are you not aware that it was abandoned last Session?—No; we were assured by Sir George Grey, long after that Bill was abandoned, that another was being prepared. I was present as one of the deputation to whom that was stated.

2573. Are you not aware that after that Sir George Grey stated that he despaired of success?—I was not aware that he said so. I believe we saw him after any discussion that occurred upon the subject in the House of Commons, and he assured me that Mr. Rutherford was going on preparing a Bill which he thought would be acceptable to the different classes of the profession.

2574. Is there any other statement which you wish to make?—No; but to prove that what I have stated is correct, I may mention that the fellowship of the college was decidedly refused to anybody who kept anything bordering on an open shop.

*William O'Connor, Esq., called in; and Examined.*

*W. O'Connor, Esq.*

2575. *Chairman.*] ARE you a Member of the College of Surgeons?—No; I am a Licentiate of Apothecaries' Hall.

2576. Are you in practice as a general practitioner?—Yes.

2577. Have you paid any attention to the subject of medical reform and the education of chemists?—Yes; I have paid considerable attention to it for some years past.

2578. Have you any observations to offer to the Committee upon that subject?—Yes. I may state that I approve of a good deal of what I have heard stated to the Committee this morning by Mr. Ancell and by Mr. Propert on the subject of the Bill. I think that nothing is so essentially necessary at present as the better education of chemists and druggists, and I think that this Bill will, in a great measure, effect that object; but I think, at the same time, that the passing of it may possibly retard the progress of a better system of medical legislation, and I think that the absence of a clause in the Bill preventing the engagement of chemists and druggists in the practice of medicine, is a circumstance which is sufficient to create in the minds of medical practitioners very great apprehension with regard to the ultimate effect of the Bill; and supposing that apprehension to be well founded, the effect of the Bill would be very prejudicial, not only to the interests of duly qualified medical practitioners, but also to the health and welfare of the community at large. I think that all medical and surgical practice by chemists and druggists, whether counter practice, or visiting out of doors, should be strictly prohibited. I think there ought to be a clause to that effect.

2579. Have you had any communication with any one in Ireland with reference to the improvement of the laws there?—Yes; about 23 years ago it was proposed by some apothecaries in Ireland, at the head of whom was Professor Donovan, who has contributed very much to advance the knowledge of pharmacy, to establish a College of Pharmacy, and to educate a body of men properly in pharmaceutical chemistry, and in preparing chemicals and drugs solely for the purpose of their being prescribed by medical men, restricting the body entirely to that, and prohibiting them from engaging in the practice of medicine. A Committee of the House of Commons sat and heard evidence upon the subject about the year 1833 or 1834. Professor Donovan and some others were examined, but unfortunately all the evidence they gave was burnt at the time of the burning of the House of Commons. Since that time a medical congress  
sat



sat in Dublin, in June 1839, and a plan of medical reform was then proposed. The late Mr. Carmichael, a very eminent surgeon, presided at that assembly, and in expounding his plan of medical reform, he spoke in this way, with reference to pharmacy: "I come now to the third estate in the realm—the apothecaries. The evil example of England has so embarrassed this part of our subject, that we cannot be surprised that Mr. Warburton should relinquish in despair the Herculean labours of regulating the profession for the public benefit. His difficulties were owing to the conflicting testimony of the three adverse branches of the profession; but while practitioners in physic and surgery should be united in one body, the public interests require that pharmacy ought to be distinct from both. The apothecary or pharmacien should be a good chemist and a good botanist; he ought to make, in his own laboratory, all the preparations employed in medicine; but the generality of apothecaries in the country resort to wholesale druggists, who are themselves supplied from wholesale chemists; and thus the same laboratories which furnish the various manufactories with coarse chemicals, also supply the apothecaries with those medicaments which they themselves ought to prepare with the utmost accuracy. The adulteration of various medicines thus is a cause of frequent failure in the practice of physic." Mr. Carmichael also, in a speech delivered at the Medical Association of Ireland, on the 27th of May 1840, said, "The interests of society require that the practice of medicine and pharmacy should be kept as distinct as possible; and therefore it is proposed to establish, in addition to the colleges of medicine, three great colleges of pharmacy, one in each metropolis; and that no person shall be entitled to vend or charge for medicine who does not receive his diploma from one of the colleges. These institutions will be the means of improving the practice of pharmacy in these countries, where the time of the apothecaries is chiefly engaged in visiting patients. All who are anxious for medical reform, under any of the schemes which will be submitted to your consideration, agree in the principle that the apothecary, or the individual who vends medicine, is to be interdicted from prescribing it, with the exception of those who are specially licensed to act as general practitioners, in villages, or remote rural districts. Practitioners cannot be prevented, for obvious reasons, from supplying their patients with medicines, if they please, but they should not be entitled to charge for them; it being one of the most important and leading objects of medical reform to separate pharmacy from the practice of physic."

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2580. Is the term "apothecary" there used in the sense of chemist and druggist?—Yes.

2581. Do the apothecaries in Ireland practise medicine at all?—They do; but no person in Ireland can compound a prescription, either written or verbal, unless he be a Licentiate of Apothecaries' Hall.

2582. Is it not found inconvenient for the apothecaries to be leaving their houses to visit patients?—Exceedingly inconvenient; and the study of pharmacy is very much neglected on that account.

2583. In consequence of the practice of pharmacy being in the hands of medical practitioners?—Yes.

2584. Then is it your opinion that chemists and druggists ought not to be medical practitioners?—Certainly; I think it is very much to the disadvantage of medical practitioners and the public that they should be so.

2585. Do you not think that this Bill would tend to introduce a better system, by defining a chemist and druggist to be a person not a member of the medical profession, and by not allowing any person practising medicine, surgery, or midwifery to be a member of the corporate body?—I think so; I see no objection whatever to the term "pharmaceutical chemist." I think it is one strictly describing the occupation of a chemist.

2586. Do you not think that this Bill, which limits his practice to subjects not connected with the practice of medicine, and which limits the body to persons who are not medical men, would facilitate the carrying out of the views which you have stated?—I think it may perhaps be prudent to limit the education of chemists and druggists; but it is impossible for any legislative enactment to prevent a chemist and druggist from acquiring a most perfect knowledge of medicine. I think it is highly desirable that he should be as well educated as possible, not only with regard to his knowledge of pharmacy, but I think his general education should be good; it appears to me that the great



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difficulty has arisen from the mistaken position which chemists occupy in this country ; and in order to give the Committee an idea of what the system on the Continent is, where chemists and druggists, as they are called here, are understood to be scientific men, I will, with the permission of the Committee, read to them a sketch of their course of education, written by Sir Robert Kane, the present President of the Queen's College at Cork.

2587. We have already had evidence respecting the curriculum of examination of pharmaciens in France ?—This is in Germany.

2588. We have had also evidence as to the course of education in Germany ?—Then, perhaps, it is not necessary for me to read this. I was about to mention, also, that at a Medical Congress held in Dublin, in June 1839, the object of which was to reform the medical profession, there were resolutions proposed by medical men from different parts of Ireland, and one of those resolutions was, "That encouragement should be given to scientific apothecaries (whose time would be exclusively devoted to the preparation and compounding of medicines) by the establishment of a college of pharmacy, by preventing medical practitioners from keeping shops for the sale of drugs, or compounding the prescriptions of others, and by affording to regularly educated apothecaries an exclusive right in dealing in medicinal articles." A copy of that resolution, together with the others adopted at the congress, were forwarded by Doctor Maunsel, the Secretary, to the Council of the British Medical Association, of which Doctor Webster was President, and those resolutions, after mature deliberation, met with the unqualified approval and support of the council and members. I may state that the system of examination which I see proposed in the Bill, which is now before the Committee, is not, in my opinion, in any way objectionable. I do not see any objection to chemists and druggists being educated in toxicology.

2589. But the word "Toxicology" being omitted in the Bill, do you see any objection to the other branches of education proposed ?—None whatever. I have heard gentlemen who have been examined here, object to a chemist and druggist being educated in botany. I cannot agree with them in it. I think nothing is more desirable than that a chemist and druggist should be conversant with medical botany ; I think that that is a necessary and essential part of his education. If it might be permitted, I would make an allusion to some clauses of the Bill. If I understand it correctly, the effect of it will be to prevent any person who is not registered as a pharmaceutical chemist from keeping a shop, and I think it is highly desirable that medical men should be so prevented.

2590. There is nothing of that sort in this Bill ?—If there is not, I think it is highly desirable that there should be a provision of that kind, for I think the chemists and druggists will feel themselves justified in prescribing so long as medical men are allowed to keep shops and vend drugs, and not only drugs, but perfumery and other things.

2591. Do not some apothecaries do that ?—Yes ; they sell hair brushes, perfumery, and other things, and in many of their shops you may see in the window soap at so much a square.

2592. Mr. Hindley.] Where have you seen that ?—In different parts of London ; in shops kept by members of the College of Surgeons of London and Edinburgh M.D.'s.

2593. Chairman.] Looking at the title of this Bill, and seeing that it is a Bill for regulating the qualification of pharmaceutical chemists, would it in your opinion be consistent with that title to introduce anything referring to the regulation of the practice of medical men ?—I think the title of the Bill is sufficiently descriptive.

2594. Would it not be incorrect, in your opinion, to insert in this Bill regulations with regard to the conduct of the practice of medical men ?—I certainly think so.

2595. Ought not that to come under another Bill, to be subsequently introduced, embracing the entire profession ?—I have very little expectation that there will be ever any such a thing as a comprehensive measure with reference to medical education ; I think that if in this Bill some clause as that which Mr. Ancell has suggested were introduced, preventing chemists and druggists from being engaged in the practice of medicine in any way, either over the counter, or by visiting patients at their own houses, it would do away with the



the necessity for any further medical legislation ; and I think that any other Bill would only be encumbering the country with Acts of Parliament, which are perfectly unnecessary.

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2596. Do you know much of the state of parties in the profession?—Yes, I do.

2597. Do you think, from what you know, that there is any prospect of their agreeing to any measure of medical reform?—I think there is not the slightest prospect of it. I think there is nothing so unlikely as that any measure of the kind will be agreed to if the proposed charter of the College of Physicians is obtained, and the charter recently obtained by the College of Surgeons is properly acted on. The apothecary in this country occupies very properly, for his superior education and examination, the position of the medical practitioner ; he is the physician of the multitude. The College of Surgeons has power given to it by the recent charter to appoint examiners in midwifery ; the council of the college will, no doubt, at a future time, acquire the power to examine in the practice of medicine, and will then become virtually a college of general practitioners.

2598. Is it your opinion that there are insurmountable obstacles in the way of a general reform?—I think that, with the progressive steps which are now taking by the College of Surgeons, it will be perfectly unnecessary.

2599. Then do you think that the question to be considered is, whether this Bill shall pass, or whether there shall be no Bill at all?—I think that if the Bill, as it now stands, without any restrictive clause preventing counter and general practice by chemists and druggists, were to pass, the effect of it would be very detrimental to the interest of the community and the profession ; but supposing a clause, such as that which has been suggested by Mr. Ancell, to be inserted in the Bill, I think it would be much better that the Bill should pass than that chemists and druggists should be allowed to continue in the state in which they now are.

2600. Do you know anything of the qualifications of chemists and druggists as a body?—I do.

2601. Are there many of them, do you think, who do not possess the proper qualifications?—Yes ; I know that many of them are grossly ignorant.

2602. Do you think that any persons who are grossly ignorant ought to be permitted to assume the name and to perform the functions of dispensing chemists?—No. I have had frequent opportunities of observing their state of ignorance.

2603. Then you consider that a great evil exists at present?—Yes, a very great evil.

2604. So that it is a choice of evils ; a choice between existing evils and the possible evils which might arise if this Bill were passed?—I think the evil is great as matters stand at present.

2605. Do you think that the passing of the Bill in its present form would be beneficial, inasmuch as it would provide for the better education of chemists and druggists?—I think so ; but still I think that the interests of the medical practitioner and the public require that a restrictive clause should be introduced into the Bill. I know it to be a common custom with chemists and druggists in England, and in London more especially, to have medical men go to their houses, where they give advice to parties who come to the chemist for it at certain hours in the day. Those chemists and druggists probably pay the medical man either by a fee or by a per-centage on the medicine sold ; parties go there for advice, which they think they receive from the chemist and druggist, and the chemist and druggist is in their eyes the medical practitioner, the name of the medical man being perfectly unknown. That is a practice which is carried on very extensively in London ; and I think that in addition to the clause which has been suggested by Mr. Ancell, there ought to be a clause going still further, and preventing chemists and druggists from being directly or indirectly engaged in the treatment of disease.

2606. Do you think that any Act of Parliament could prevent a medical man from practising where he may think fit?—It is difficult to do so, but I think a clause might be drawn which would inflict a penalty on parties so acting. I know that chemists and druggists in London, occupying no mean position, have been parties to such practices, and have had medical men sitting in their back parlours to receive patients. Respectable people have gone to



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the shop thinking they got advice from the chemist and druggist, whereas they have got it from a medical man.

2607. The medical man being qualified to give advice, and the chemist being qualified to compound the medicine, who in your opinion is the party injured by such a practice?—The respectable, hard-working body of general practitioners. We invariably find that those men are men who pretend to be pure physicians, or pure surgeons, and by such practices the general practitioners, who are engaged in the more toilsome part of the profession, are materially injured.

2608. Is not that a question which refers more to a general arrangement of matters among the medical profession, than to a Bill for regulating the qualifications of pharmaceutical chemists?—I think it arises as much, and that it is as necessary to have some penalty against such a practice, as it is necessary to have a penalty against the general practice of medicine by chemists and druggists.

2609. I believe you are aware that it is the desire of the promoters of this Bill not to interfere in any way, either directly or indirectly, with the disputes existing amongst the different classes of the profession, but to restrict themselves entirely to the improvement of their own qualification?—That is my belief. I have conversed with many respectable chemists and druggists in London, and I believe they are desirous of having some arrangement come to, with respect to the medical profession at large, so as to produce a proper understanding between them.

2610. Do you not think it would be rather unfair, that the endeavours of the chemists being confined to their own qualifications, the medical men should mix themselves up with a Bill, the object of which is to introduce an improved system of education?—I certainly do, provided they do not interfere with the legitimate occupations of medical men. I believe that medical men would not seek in any way to interfere with chemists and druggists, if they do not think that the steps which the chemists and druggists have taken are likely to encroach on their province.

2611. Do you not consider it a more legitimate and proper course, for medical men to introduce that improvement which is desirable in their own legitimate qualification? Do you not think it a more legitimate and proper course, for medical men to introduce that improvement which is desirable in the education of their own members, coming to an arrangement with reference to their own disputes, than to mix themselves up with a Bill which is meant to apply to the education of chemists and druggists only?—I think it is the duty of medical men to be careful that in any arrangement which may be made with regard to chemists and druggists, there should be no infringement on the rights of medical practitioners.

2612. You are aware that this Bill does not repeal any portion of the Apothecaries' Act?—Yes.

2613. If it defines the duties of the chemists and druggists, and if the Apothecaries' Act remains in force, would not the two Acts, in your opinion, rather tend to increase the protection which the medical profession enjoys against the chemist?—Yes; but I think the Apothecaries' Act is deficient in giving proper protection to medical men, and if you look at the decisions come to by some of the Judges, you will find many cases in which chemists and druggists ought to have been convicted and fined for engaging in the practice of medicine, but in which they escaped. The Judges have taken opposite views as to the interpretation to be put upon the Apothecaries' Act, besides which the expense of a prosecution under that Act is very great. I remember one case, which is particularly referred to by the editor of the "Lancet." I think Mr. Baron Platt was the presiding Judge. In that case, a chemist and druggist was prosecuted either for illegal practice or for manslaughter; I forget which. The Judge summed up in favour of the chemist and druggist, or else excluded some evidence which was offered against him; and the result was, that although the chemist and druggist was morally guilty of the charge preferred against him, yet, owing to the interference of Mr. Baron Platt, he was acquitted.

2614. Does not that, in your opinion, result from the very imperfect definition now existing as to what are the duties of a chemist and druggist?—Yes; but I think those duties may be very easily defined.

2615. Does



2615. Does not this Bill more completely define those duties than they ever were before defined in any Act of Parliament?—I think not. *W. O'Connor, Esq.*

2616. You are aware of the words of the clause?—Yes; I have read the clause. *7 May 1852.*

2617. That such examination shall not include an examination in the theory and practice of medicine, or the practice of midwifery or surgery?—That merely goes to the examination.

2618. Does not the fact of the examination being defined prove the amount of qualification legally conceded to the chemist?—I think not at all. The amount of qualification conceded to him does not lay down what his strict duties as a chemist and druggist are.

2619. If the chemist puts in as his plea that he is a qualified man, and if he shows his diploma and the Act of Parliament, would not the interpretation of the Judge depend upon the terms which are implied in the diploma in consequence of the definition of the qualification in the Act of Parliament?—I would not leave it to the whim or the caprice of the Judge. I would have the law strictly defined.

2620. Could it be more strictly defined than by excluding the theory and practice of medicine, therapeutics, and the practice of midwifery or surgery?—I would go to his ordinary and daily duties in defining what the duties of a chemist and druggist are.

2621. Do not the words “chemistry,” “pharmacy,” “materia medica,” and “botany,” define his duties, the other words excluding every portion of materia medica which possibly have a tendency to encourage medical practice?—Yes, but those words only refer to his education; they do not refer to his duties from day to day. There was a clause introduced into the Bill of Mr. Hawes, a copy of which I have here, and upon looking at it, and being very averse to anything like the vending of drugs by medical men, I think it highly desirable that there should be such a clause introduced into the Bill, and that it could not be objected to by any chemist and druggist. There was a clause, somewhat similar in effect, in a Bill which was proposed by Mr. Donovan. The third clause in Mr. Hawes’ Bill was this: “The words ‘art of medicine’ include within their meaning the recommending, prescribing, or ordering either directly or indirectly, any medicine, or remedy, or application whatever for the relief or cure of any disorder, ailment, or illness of the body or mind, or any part thereof; or performing any surgical operation, minor or capital; or practising midwifery; and the words ‘medical practitioner’ mean a person qualified under this Act to practice the art of medicine.” And that the words “chemist and druggist” mean a person who shall sell, deal in, mix, or dispense for sale any drug or medicine for the cure or relief of any bodily disorders, ailment, or illness, except such person as shall have obtained a certificate to practise the art of medicine; and the word “England” shall include Wales.

2622. Did you ever hear of the proceedings which were taken by the chemists and druggists, with reference to those clauses to which you refer?—Yes, I did.

2623. Are you aware that they united, in the most energetic manner, to oppose those clauses?—They did.

3624. Do you think there would be any use in attempting now to do that which so totally failed on a former occasion?—I think that if such a clause were introduced into this Bill, and if at the same time there were another clause imposing a heavy penalty on medical men keeping shops and selling medicines, the chemists and druggists could not possibly object to it.

2625. Admitting the propriety of what you recommend for the sake of argument, would not that be a more suitable provision to introduce into a Bill with respect to the medical profession generally, than into a Bill which is confined exclusively to regulating the qualification of pharmaceutical chemists?—No; because the Bill of Mr. Hawes was intended to embrace both.

2626. Was not that a comprehensive measure embracing the whole profession?—Yes; but that part relating to chemists and druggists might form the groundwork of a system of legislation for chemists and druggists; in the Bill proposed by Mr. Carmichael and by Mr. Donovan, there were clauses to the same effect, besides which, in the outline of the Bill which was submitted to the British Medical Association, at the Medical Congress, by Dr. Forbes, he distinctly recommended the institution of a college of pharmacy, and what he recommended was very much in the spirit of the clause which I have read. That was at the medical congress which was held in Exeter Hall in February 1841.



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2627. Do you object to this Bill upon the ground of the inopportuneness of the time?—No, I do not; I think that if the clauses which have been already suggested to the Committee were introduced into the Bill, and if a clause also were introduced, making it penal for medical men to keep open shops, it would answer all the purpose that is desired.

2628. Is it your opinion that the medical profession generally would agree to that latter clause?—It is my opinion that they ought to be made to agree to it. I think that it is a thing most essentially necessary for the welfare and respectability of the medical profession; many of them now are mere traders. There is another evil also which operates injuriously, and diminishes the respectability and character of medical professors: that general practitioners who are mere traders never make a charge for their professional services, but they deal very extensively in drugs.

2629. Were you not present in this Committee-room when some of the medical witnesses gave a diametrically opposite opinion, and claimed, on behalf of all the licentiates, the right to practise pharmacy as chemists and druggists?—I heard some of them.

2630. Can you suggest any means by which the Committee could reconcile those two opinions?—I think that some of those opinions were so opposed to each other, that it would be morally impossible to reconcile them. I think it ought to be made as penal for a medical man to sell drugs and keep an open shop, as for a chemist and druggist to prescribe.

2631. Seeing that those who object to the Bill object to it on diametrically opposite grounds, can you see any means of reconciling those two objections?—I think the only means are those which I have already suggested.

2632. You give that as your opinion?—Yes.

2633. And we take the other view as the opinion of the other witnesses?—Yes; I think, looking at the character and respectability of the medical profession, it is both derogatory and injurious to them as a body, that any of them should keep open shops; and I state it as my opinion, that so long as medical men keep open shops, chemists and druggists are perfectly justified in prescribing; and I think that the College of Surgeons in England has done more to lower the character of the medical profession than has been done by any other means, and I think that the council ought to have disfranchised every member keeping an open shop.

2634. Did you not hear a witness state in this room that they had injured the profession by not admitting those who keep open shops and practise pharmacy?—I did not hear that; I am not aware that any witness who has been examined this morning has said so.

2635. The College of Surgeons do not examine in pharmacy?—They do not.

2636. Do you think that they ought to do so?—I think they ought to extend their examination to a thorough knowledge of medicine, but I do not think they ought to go fully into that which is strictly the province of the pharmaceutical chemist.

2637. Are you aware that general practitioners are excluded from the operation of the Bill already, except under very limited restrictions?—You now speak of the Charter of the College of Surgeons; I think that medical men generally are not excluded, because any of those who are excluded by the Charter can obtain the fellowship by examination.

2638. Were they not excluded until recently, when an exception has been made in favour of those who have been in practice for a certain number of years?—No; the Charter which was given to the College in the year 1843 only gave the Council the power of admitting a certain number of fellows who were admitted, and the year afterwards they admitted an additional number. Many of the council had some of their own friends admitted, and many were admitted who were not only unacquainted with practical surgery, but who were perfectly unfit, by limited education and experience, for the honour conferred on them; and I believe that the fellows who were created by the Charter excluded from the fellowship men who had been many years in practice, and who had done a great deal to advance medical science. I think they very unjustly excluded Mr. Ancell. I think that he ought to have been made a fellow in preference to many men who were admitted. The fellowship could always be obtained by examination, but that was unjust towards old members.

2639. Are not the regulations of the College of Surgeons so framed, as to offer



offer an obstruction to men practising pharmacy rising in that College?—To prevent them from being on the council. W. O'Connor, Esq.

2640. Is not that a source of complaint among the body of general practitioners?—I think it is; and I think unjustly so. I think they have no right to complain of it; the College of Surgeons in Ireland will not allow one of their fellows to dispense medicine, but the College of Surgeons in London do allow it. 7 May 1852.

2641. You think that an abuse?—I think it would be an abuse to allow them to be on the council.

2642. Your opinion on that head is diametrically opposed to the Institute, for instance?—Yes, I think so. I think the members of the Institute have got a false notion into their head that they ought to have an additional college.

2643. Do you think that a false notion?—Yes, I think an additional college would tend to perplex the profession, and I think it would make the position of medical men more complicated than it is at present.

2644. Do you believe that many of the medical profession would agree with you in that opinion?—I believe that a majority of the medical profession would be very glad to see the College of Surgeons reformed rather than a new college.

2645. In the event of a proposition for a general medical reform being introduced, on the principle desired by the Institute, do you think it would be opposed by many old members of the profession?—I do not know what their proposition at present is; but I think that a general Bill for medical reform ought not, with regard to corporate institutions, to include anything more than a College of Physicians, College of Surgeons, and a College of Pharmacy; and I think those three bodies should at stated times publish a pharmacopœia, which should be circulated under their authority throughout the kingdom. I think those are the only three colleges that it would be desirable to have. I think that a college for general practitioners is an institution that has no parallel in any country.

2646. Lord *Burghley*.] Would you prevent all apothecaries from selling medicines, considering that many apothecaries practise in the country?—I would prevent all men who practise medicine from selling.

2647. Would not that, in your opinion, create great inconvenience in small villages and towns?—There might be exceptions made in cases where they were remote from towns. I think that power might be vested in local magistrates, for instance, to allow it to be done in certain cases where it was proved to their satisfaction to be necessary, and that there was no chemist and druggist near where people could get drugs. I think that power might be vested in the local authorities to grant a licence in such cases to the medical practitioner to sell drugs for the convenience of the neighbourhood; it being understood that if a chemist and druggist, or a person duly qualified under this Bill, should establish himself in business in the same neighbourhood, the medical man should resign the power of vending drugs.

2648. If you were to introduce a clause of that sort, would not the consequence be that a great opposition would be offered to the Bill by apothecaries and medical men?—I think that if a clause to that effect were introduced, and if there were also a clause strictly prohibiting chemists and druggists from engaging in counter practice, or visiting patients at their own houses, the medical profession could have no reason to complain, and would agree to it; and I think that, if they did not willingly agree, they ought to be made to submit to it. I know several chemists and druggists, persons doing large practice as medical men. I know one man who is doing a practice of at least 500*l.* a-year; his counter practice brings him in that sum. I may mention one instance which occurred to myself one day: I went into the shop of a chemist and druggist near Charing Cross, to get some medicine made up in a hurry for a patient of mine, and I was told by a person in the shop, “Mr. So-and-so will be in shortly; he is out now visiting a patient.” Then I would make another suggestion to the Committee, which is this: that should this Bill become law, I do not see any clause in it giving any authority to inspect the drugs sold in the shops of chemists and druggists. I think it very desirable that there should be a provision of that kind, and I think the absence of it is a great loss to the public at large; it might perhaps be difficult to carry it out satisfactorily, on account of the difficulty that there would be in finding in London, in the College of Phy-

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sicians more especially, to whom generally such a power, where it exists, is usually entrusted, persons who would be conversant with the nature and quality of drugs.

2649. You think that it would be desirable that there should be such a power introduced into the Bill?—I do. I have had occasion myself to complain of the quality of many of the drugs that are sold by chemists; and I know, from other medical men, that those complaints are general.

2650. Do you think it could be expected to be otherwise, considering the great number of persons who enter into the business of chemists who are quite unqualified?—It arises, I think, from two causes: it arises from the fact of men entering into the business of a chemist and druggist without any previous qualification, and knowing nothing of the nature or quality of drugs; and in the next place, whatever may be the education that is given by the Pharmaceutical Society, I know that some persons who have been educated there are not themselves good judges of medicine. I think that the examination of a chemist ought to go much further than it does at present, with regard to the character and quality of drugs.

2651. In other words, you think that the examination is not so stringent as it ought to be?—I think it is not so practical as it ought to be.

2652. Do you think it possible that any voluntary society, not supported by Act of Parliament, could make the examination as stringent as it ought to be?—I think it morally impossible.

2653. Do you not think that an Act of Parliament would enable the society to introduce that stringency in the examination which the safety of the public requires?—I think so.

2654. And on that ground do you approve of the Bill?—I approve of the Bill, if the restrictions I have suggested are introduced.

2655. Sir W. G. Craig.] Do you think that the mode of examination has been as yet imperfect?—It would appear, from conversations which I have had, that the examiners feel they have not power to go so far as they ought to go.

2656. Do you think that the examiners at present are properly constituted?—I think, that if a College of Pharmacy is established, and if it is confined to practical pharmacy, chemistry, and botany, and to the tests for poisons, there could be no objection to it.

2657. Would it, in your opinion, be an advantage, that members of the College of Physicians and Surgeons should be examiners?—Educated as they are at present, I think they are grossly ignorant in materia medica. I have in my pocket the questions which were proposed by the College of Physicians at the last examination, and there is not one in it relating to materia medica. There is one with regard to pharmacy, which is, "What are the special directions enjoined in the London Pharmacopœia of 1851, for the material and composition of the vessels employed in the preparation and conservation of metallic, acid, and alkaline medicines? In what sense do we use the terms 'calor lenis,' 'balneum aquosum,' and 'balneum arenosum?'" That is the only question relating to it. That is one of the last examination papers. I know men engaged in London as lecturers on materia medica who really know nothing at all about it, although they go into the lecture room year after year, repeating the same thing from the writings of Drs. Murray & Christison, of Edinburgh, Dr. Neligan, of Dublin, or Dr. Pereira. There are many lecturing in London now on materia medica, who are perfectly incompetent to discharge the office they assume, and some of those are members of the College of Physicians.

2658. But there must be many members of the College of Physicians who are perfectly acquainted with pharmacy?—I will venture to say that there are not four such men in the whole body.

2659. Would you say the same with regard to the surgeons?—It is ten times worse with regard to surgeons; they have no examination; their examination is of a most frivolous nature.

2660. *Chairman.*] You mean so far as regards chemistry and pharmacy?—I mean as regards the education necessary to qualify a man to undertake the practice of medicine and surgery.

2661. Did you consider it so frivolous that you did not think it worth while to go up and obtain a diploma?—I thought it would not be of any service to me; I thought my being a licentiate of the Apothecaries' Company was sufficient. Licentiates of the Apothecaries' Society receive a much higher, more practical, and far more general education than a member of the College of Surgeons,



Surgeons, as tested by examination. I have been urged by some members of the council of the College of Surgeons to offer myself for examination for a fellowship. When I founded the National Association of General Practitioners, some members of the council, at that time, urged me to retire from it, and to go in for a fellowship of the College of Surgeons.

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2662. Sir *W. G. Craig*.] With whom would rest the power of examining drugs in the shops of chemists?—The College of Physicians have a limited power, which I believe is confined to the City of London. It should not be confined to drugs, but they ought to examine all scales and weights and measures, and they ought to see that the chemists have copies of the London Pharmacopœia. I know many chemists and druggists in London who have not. You will more commonly see “Hooper’s Vade Mecum,” or some such book, which gives them a smattering of the practice of medicine.

2663. The power of examination of drugs, which is possessed at present by the College of Physicians, is not exercised, is it?—It is scarcely exercised at all; it is only confined to the City of London.

2664. Do you think it desirable to extend that further, and to place it in the hands of some other body?—I would do so.

2665. What body?—If there was a College of Pharmacy they might appoint, or if the education of the physicians was better than it is the power might also be intrusted to some of them; but I would rather trust to a body of censors appointed by the College of Pharmacy; and I think they should be sworn to examine the drugs properly.

2666. What penalties would you impose on parties possessed of impure drugs?—I would impose a fine for the first offence; I would increase it for the second, and the third time I would have them struck off the register of the College of Pharmacy. I would have them deprived of their licences or registers.

2667. Would you make it imperative that the shops should be examined periodically?—Yes. I would have them examined all through the country, at least twice a year.

2668. How would you provide for such an examination?—I think that the expenses might be paid for out of the funds of the Company; and I think that if all chemists and druggists in England were compelled to be registered annually, a sufficient amount would be derived from that source.

2669. You would have an annual assessment?—Yes, for registering; and that would provide funds for the support of the college. I think also that they should be prohibited from vending oils and colours. I think that poisons should be kept apart, and that they ought to be prohibited from vending poisons as they now do, even when prescribed separately and in large quantities by medical men. I may mention that I have known two fatal cases arising from one medical man ordering poison. I knew of a physician, a very popular lecturer on materia medica, who at one time ordered a patient an ounce of prussic acid, two drops to be taken occasionally; that was dispensed from a chemist’s shop. I was myself present and witnessed the fatal result of a physician having ordered an ounce of laudanum, two or three drops to be taken occasionally. The patient swallowed the whole ounce of laudanum, and was poisoned. I attended that patient myself, and removed the laudanum from the stomach; but the patient ultimately died.

Mr. *Henry Ansell* again called in; and further Examined.

2670. *Chairman*.] THE Committee understand that you wish in some way to qualify the evidence which you have given this morning?—Yes. I wish to state that, on consideration, I am decidedly of opinion with Mr. Propert, that the whole of the clause which I suggested to the Committee is essential, in order to render the Bill safe with reference to the existing state of the practice of physic in this country.

*Mr. H. Ansell.*

*Jonathan Pereira, Esq., M.D.*, called in; and Examined.

2671. *Chairman*.] YOU are one of the Physicians to the London Hospital?—I am.

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2672. Have you been for several years the professor of materia medica at that hospital?—

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hospital?—Yes; I am not so now; I have resigned; but for many years I lectured there.

2673. How many years have you lectured for the Pharmaceutical Society?  
—For nine years.

2674. On *materia medica*?—On *materia medica*.

2675. Do the lectures on *materia medica* delivered at the Pharmaceutical Society differ from those which are delivered at the hospital?—Certainly.

2676. What distinction do you make?—At the hospital the principal subjects are the effects and uses of medicines, but at the Pharmaceutical Society they are chiefly the natural history and chemistry of medicines.

2677. Do you think that chemists require a distinct course of lectures on that subject, different from those that are delivered to persons intended for medical practitioners?—Certainly.

2678. Do you think that the words *materia medica* necessarily imply therapeutics, or do you think that the term is generally added to therapeutics in the way in which it appears on that card (*referring to a card of admission to King's College*)?—It depends very much on what the requirements of the public boards are; if they require a course on *materia medica* and therapeutics, the course is named accordingly; but if they say *materia medica* only, the course will be called *materia medica*.

2679. If you saw a course of lectures on *materia medica* advertised, would you imply, as a matter of course, that therapeutics were included in it?—Not necessarily; *materia medica* is a very general term; it includes, of course, the effects and uses of medicines, as well as their natural history and chemistry; but it does not follow that a lecturer is to take up all the departments of *materia medica* in the course.

2680. Do you see any objection to the branches of study which are mentioned as coming within the province of the pharmaceutical chemist, that is to say, an education in botany, *materia medica*, and pharmaceutical and general chemistry?—I see no objection to the use of those terms, though I think more general terms might be used, and with benefit.

2681. Could you suggest any amendment which would meet the objections urged by some witnesses against the term *materia medica*?—I think you might leave out the words, and yet retain everything which the Bill contemplates, and which chemists and druggists could require.

2682. What words would you substitute for them?—I think that if the words natural history, and chemical properties of drugs were substituted, it would involve all that a druggist could require.

2683. Are there any lectures given anywhere in London of that description?—None that I am aware of, except the course which I have given at the Pharmaceutical Society; the reason is, that the *materia medica* lectures, which are delivered at other schools in London, are intended for medical men.

2684. Do you think that in the absence of any law obliging chemists and druggists to undergo some examination, a school could be supported by the chemists and druggists, having lectures especially adapted for them?—I think not; I think it has been fairly tried by the Pharmaceutical Society, and under the most favourable circumstances; that school is not, in fact, a self-supporting school.

2685. You are aware, are you not, that it has been carried on at a loss of several hundreds a year?—I do not know at how much, but I know that it has been carried on at a loss.

2686. Do you think it possible for such an institution to be carried on without a loss, unless some Act of Parliament were passed compelling chemists to undergo an examination?—I do not think that any school for chemists and druggists alone would pay, unless there was some Act requiring them to attend.

2687. Do you think that the education of chemists and druggists in these branches of knowledge would tend to make them medical practitioners?—No, I think not.

2688. Do you think that by becoming better acquainted with their own business they would feel more interest in that, and endeavour to separate themselves as much as they could from irregular practising?—I think it would give them a standing in their own department, and that they would not be so likely to be led into the practice of medicine.

2689. You have heard some of the objections which have been urged of an  
opposite



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opposite character to the opinion which you have expressed ; do you think that those objections are based on a misapprehension of the facts of the case ?—Yes ; I have heard no objections made to the Bill that I think are at all valid.

2690. From what you know of chemists and druggists, do you believe that the more intelligent and better educated among them practise the most or the least irregularly ?—I think the least, because I believe that with chemists and druggists, medical practice, if I may so call it, is chiefly confined to those whose means, perhaps, compel them to travel rather out of their own immediate duties ; and I think that the better informed, and those who have the best positions with reference to their own proper business, are the parties who not only do not practise medically, but, so far as I have had experience of them, are most desirous of putting a-stop to such practising.

2691. Do you believe that this Bill would rather have a tendency to check than to increase such practice ?—I think it would tend most decidedly to check it, giving, as it does, the means of drawing a line of demarcation between medicine and pharmacy.

2692. I believe you are aware that the chemists offered a very strong opposition to a Bill which was introduced by Mr. Hawes, which proposed to place them under certain restrictions ?—I am aware of it.

2693. Do you think that if a Bill of this description were to be for a few years in operation, they would become more sensible than they are now of the propriety of restricting themselves within their own limits ?—Yes, I am disposed to think they would be.

2694. And would that have a tendency, do you think, to make them less opposed to any moderate restrictions that might be introduced in any subsequent Bill ?—It is difficult to give an opinion as to what they might ultimately feel, but my own impression is rather in favour of that view.

2695. It has been suggested that it would be proper to introduce this clause into the Bill (*handing to the Witness the clause proposed by Mr. Ancell*) :—I believe that part of this clause might be introduced with advantage, but I think there are objections, in a medical point of view, to some of the propositions which are contained in it.

2696. To which propositions do you refer ?—It says, “with a view to perform any medical or surgical office.” It might be a question what was the proper construction of the words “surgical office ;” would it be understood that the application of leeches is a surgical office ?

2697. Supposing that were understood, do you think that the application of leeches ought to be prohibited ?—I think that that should be left out, because you may employ a nurse or any person to apply leeches ; I am not quite clear what would be the legal construction of those words.

2698. Taking the clause as a whole, do you think that it could be practically carried out ?—I am inclined to think not ; taking it as a whole, if it is to be this clause or no clause, I think it would be better to have no clause. You might, I think, introduce a part of the clause with advantage to the medical profession.

2699. Do you allude to that part of the clause which refers to attending patients ?—Yes.

2700. If a clause were introduced, prohibiting chemists from practising medicine at the houses of patients, would it not be inferred from that that they might attend patients in their own shops ?—It would look very much like it, I think ; there is one part of the clause which says, “nor to prescribe, nor to administer medicines or remedies in their own houses or shops.” I should think that the whole clause might be shortened with advantage ; and it would be improved if it were merely to say that they should not perform the duties of a surgeon, physician, or man-midwife, either at their own houses, or at the houses of their patients. I think there is much detail here, which might give rise to great difficulty ; as a medical man, I should object to the clause as a whole ; but at the same time I should say I have never seen it until now, and therefore my opinion upon it must be necessarily rather superficial.

2701. Do you think this Bill assists in any way in defining what is the legitimate province of the chemist and druggist ?—I think it does ; and I believe that indirectly it will tend to check illegal practice.

2702. Do you think that this Bill, coupled with the Apothecaries' Act of 1815 would, if passed, have a tendency to clear up some of the difficulties and doubts



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which have existed upon the subject?—I do; I have a very strong opinion upon that point.

2703. Do you think that evil results at present from the practice of chemists and druggists over the counter?—I have heard of it, but I must confess that personally I am not acquainted with it, and cannot bear testimony to anything of the kind. I have heard a great deal of it, but I do not happen to have met with it myself.

2704. Should you think that this Bill would at all tend to increase such practice?—I think not; I think on the contrary it would tend in a great degree to put a stop to it.

2705. From what you know of the state of parties in the medical profession, do you think there is any immediate prospect of a general measure of medical reform being carried?—I am afraid not; I do not see any probability of it at present.

2706. Do you see any objection to introducing a reform in the education of chemists and druggists as a separate measure?—I see none.

2707. Do you think that the passing of this Bill would tend to impede or obstruct any general measure which might afterwards be introduced, or would it, in your opinion, tend to facilitate it?—I think it would tend to facilitate it.

2708. In what way do you think it would facilitate it?—It is stated in the Bill, that a medical man shall have the privilege of acting and calling himself, if he pleases, a pharmaceutical chemist; but he is not to be registered under the Bill. Now it is very evident that there are two cases, in either of which you may suppose a man practising illegally; he may be, for example, a chemist and druggist registered; or he may be practising pharmacy without being registered. If he be a chemist and druggist registered, it will be very clear then that he cannot be a medical man according to the Bill, because a medical man is not allowed to register; and, therefore, *prima facie*, his being registered under this Bill, is evidence that he is not qualified to practise medicine.

2709. Do you think that that evidence would be received as an interpretation of the Apothecaries' Act?—I take it that if a man were prosecuted for practising illegally, he would necessarily endeavour to show that he was a chemist and druggist, and that he was qualified, perhaps, by law, or by custom, to administer, in some slight way, medicine; but if it is proved that he is registered under this Act, it will be seen that medical men are not allowed to register under this Act; and that, I think, is a material point to be borne in mind.

2710. Supposing a person were not registered under this Act, but that he assumed the character of a medical practitioner?—Then, I think, he will be clearly amenable, because he will not be able to show that he has received his diploma either from any medical body or from the Pharmaceutical Society as a chemist and druggist; it is impossible, therefore, for him to say he is a chemist and druggist, because he is not licensed, and in that case he has neither a medical nor a pharmaceutical qualification.

2711. Is it not the case that a good many irregular practitioners, acting as chemists and druggists, have been apprenticed to apothecaries, and have not passed any examination, but have commenced business as chemists and druggists, having acquired a smattering of medical practice from their former employers?—Those parties I have met with have been medical men for the most part, without the pecuniary means of completing their education, and when they are prosecuted they state, that they have been practising as chemists and druggists; now such parties could not plead that they were practising as chemists and druggists under this Bill, and I fancy that it will follow, as a necessary consequence, that if they practise they will be convicted, because they could not plead the privilege of a chemist and druggist, inasmuch as they would not be registered. I have heard in this room some persons claim, that medical men should have the power of being registered; I think it is objectionable; I do not think they should be registered as chemists and druggists, because then you cannot tell whether a man is a medical man or a chemist. I should like to see the two kept distinct. I may, perhaps, be allowed to mention that I foresee some difficulties which will arise from this Bill, to which I would just draw the attention of the Committee. Suppose a man passes as a chemist and druggist, and is registered, and suppose he should afterwards pass as a medical man, would he remain a registered chemist and druggist? I put that question,



tion, because as I read the Act, he would still remain upon the list of registered chemists and druggists, and that, I think, would be objectionable.

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2712. There is a clause in the Act which says, "The registrar to be appointed under or by virtue of this Act shall from time to time make out a complete register of all persons carrying on the business of or being employed as pharmaceutical chemists, who shall, in writing, addressed to the said registrar, desire to be entered upon the list of pharmaceutical chemists, and shall also furnish such evidence of their being so employed, as may from time to time be required by the council of the said Pharmaceutical Society of Great Britain;" would not that clause restrict such a list to those who are chemists and druggists according to the terms of the Act of Parliament, or would it in your opinion be better to add such words as these: "And shall also erase from such register the names of such persons as shall cease to be pharmaceutical chemists according to the terms of this Act"?—I apprehend that that would be the best way; if he takes the lower qualification first, and afterwards takes the higher qualification, I think the lower one should be erased, my notion being that medical men should not be registered under this Act, and should not be called chemists and druggists. I would have a registration entirely for chemists and druggists, and I would have the register to be such that the very fact of being registered should be a proof that the party is not qualified to practice medicine.

2713. Then, according to that view, whatever a chemist did in the way of prescribing a draught to a patient across the counter, would be irregular practice?—I am not at all wanting to define the limits. I do not want to say what is or is not "practice;" but I want it to be understood, that a man legally qualified to practise medicine has a right to practise as a pharmaceutical chemist if he pleases, but the register shall be confined to those who practise pharmacy only.

2714. By that means you consider it would be implied that a chemist had no privilege to practise medicine?—Precisely so; and there, I think, the Act of Parliament would tend to show the difference between men qualified and those who are not qualified as medical men.

2715. And do you think that that would practically be a more effectual means of checking the irregular practice of the chemist than any attempt to define to what extent he shall go, and where a line is to be drawn?—I have thought a good deal about the matter, but I do not know how in words to draw the line between what he might legally do, and what he ought not to do; I think each case should be judged of by itself. I can conceive one of the public going into a chemist's shop, and stating that he wants some rhubarb, and wants to know the proper dose to be taken, and I think that in such a case the pharmacist should sell him the proper dose; that, I should say, is not medical practice; but, on the other hand, if he stated he had a diarrhoea, and wanted a mixture, and the druggist prescribed a remedy, that, I conceive, would be medical practice; but I can conceive cases in which it would puzzle anybody to say what is or is not "practice."

2716. If the patient said, "I have a diarrhoea, and I wish you would give me a chalk mixture," and the chemist asks him whether he has taken anything, and the patient says he has taken a little rhubarb, but wishes to have a chalk mixture, would you call it prescribing if the chemist made it up for him?—No; in that case the man prescribes for himself, and the druggist merely gives him what he asks for.

2717. If a patient says he has acidity on his stomach, and wishes for a draught with something aromatic in it, and the druggist gives it him, would you call that prescribing?—I am afraid you are getting into intermediate cases now, which it would be difficult to define; if he says he has acidity on the stomach it is obvious that the chemical antidote would be an alkali to neutralise it.

2718. Do not the mineral acids sometimes correct acidity on the stomach, when alkalies have failed?—No doubt patients have benefited occasionally by them.

2719. If a patient complains of debility and wishes for a tonic, and says, "have you any preparation of iron; I should like a tonic," and the chemist gives it him, would you call that prescribing?—Those are some of the debatable points to which I have before referred. I would not like exactly to tie up a man's hands too tightly, so as to prevent him from giving any remedy, but at



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the same time it is obvious that such pharmaceutical practice verges closely on medical practice.

2720. Are there not numerous cases of slight indigestion in which a stomachic draught may be very innocently given; a little rhubarb and calumba, with soda, or sal volatile, for instance?—Yes.

2721. Do you think the law could be so stringently carried out as to prevent a chemist giving a draught like that?—I am not a lawyer; I have seen very curious conclusions drawn from written statements, and I do not feel myself competent to decide many of these points. As a general rule I should say it is the office of a chemist and druggist to vend drugs, to prepare chemical and pharmaceutical compounds, and to dispense physicians' prescriptions; and, on the other hand, I consider it is the office of a general practitioner to practise medicine, surgery, midwifery and pharmacy, but when you draw the line very closely it is difficult to adhere to it strictly as the two offices merge the one in the other.

2722. The Committee are on the horns of this dilemma; it has been proved by numerous witnesses, that a very large proportion of persons acting as chemists and druggists have little or no education, but are, nevertheless, employed in dispensing prescriptions and selling a great variety of strong medicines. It is urged, on the other hand, that if that description of ignorance be overcome, the fact of their being instructed in chemistry and pharmacy will give them a higher status, and induce them to practise medicine?—I do not at all agree with that view.

2723. Supposing, for the sake of argument, that that were the case, to a great extent, in some instances, which of the two evils do you think the lesser?—I would take the Bill in preference, because if they do practise medicine, I think it gives you a more ready means of obtaining legal proof of their illegal practice.

2724. Do you think the existing state of things is a very great evil?—I do; and I think it most desirable to remedy it. I am most anxious to see chemists and druggists well educated, but this Bill does not go quite far enough, in my view.

2725. Some people say it goes too far; but is not a measure which goes part of the way better, in your opinion, than none at all?—But the points on which some object to it and think it goes too far, are not the points on which I think it should go further.

2726. On what point would you go further?—I think a chemist and druggist, if perfectly educated, ought to be educated in four distinct departments.

2727. You are alluding now to the subjects on which he should be examined?—And educated too; for if he is to be examined in those departments, he should of course be educated in them.

2728. You would substitute the four departments to which you allude for *materia medica*?—No; the subjects I would propose are natural philosophy or physics, natural history, chemistry, and pharmacy.

2729. Do you think that would include everything that would be necessary?—I think it would include as much *materia medica* and toxicology as a chemist and druggist would require; for example, his course of natural history would include general natural history (including botany, mineralogy, and zoology), and pharmaceutical natural history; and the course of chemistry would include general chemistry, pharmaceutical chemistry, and toxicological chemistry; and that would be as much toxicology as he would require.

2730. Those sub-heads need not be introduced into the Bill?—No; I presume that no medical man would object to those heads; but they object to toxicology and *materia medica*, which they think might include something more than is intended; and they are afraid that chemists and druggists might make an improper use of them; but I think that that which I have suggested would, in a great degree, obviate the objections that are made to giving a larger education to the chemists and druggists, and such an education as is proper to their own peculiar sphere.

2731. Do you think it is an evil, the improving the education, and thus improving the condition of the chemists with reference to the respect which the public might have for them, and the confidence which they would repose in them?—I think it is not an evil, but, on the contrary, a great advantage.

2732. Increasing their status?—Increasing their status, and giving them the means



means of carrying on their business more efficiently in relation to the public and the medical profession.

2733. Objections have been urged against raising the status of a chemist by giving him a better education, although, at the same time, we have been told that some education is requisite; could you suggest any means by which a chemist could have the requisite amount of education, without acting injuriously to the profession or the public by raising his status?—No, I cannot conceive such an objection to have been made; I should fancy the objection that is made is to raising his status towards that of a medical man, not as a chemist and druggist; the fear that has been felt has been that by raising his status in one particular direction you may lead him to practise medicine; but I would suggest that you might increase his status still more without any objection on the part of the profession, provided it is put out of his power to practise as a medical man.

2734. If the Bill be so worded as to exclude everything that could by possibility bear a medical construction, would not that limit the status of the chemist?—Certainly; some parties I think have raised an objection to the words which are used, and my object has been to show how their objections might be obviated, without interfering with the real efficiency of the Pharmaceutical Bill.

2735. Then your object is simply to remove objections which you think are unfounded, merely for the purpose of getting rid of opposition?—I do not think there is any real objection to a course called materia medica or toxicology; I have no fear about it myself, but others have; and therefore I have suggested a mode by which I think their fears might be allayed.

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M. D.

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*Merc urii, 12<sup>o</sup> die Maii, 1852.*

MEMBERS PRESENT:

Mr. Jacob Bell.  
Mr. Ewart.  
Mr. Bouverie.  
Sir W. G. Craig.  
Sir H. Willoughby.  
Mr. Wakley.

Mr. Deedes.  
Mr. Hindley.  
Mr. Jackson.  
Mr. Farrer.  
Mr. Wyld.  
Lord Burghley.

JACOB BELL, Esq., IN THE CHAIR.

*George Stilwell, Esq., called in; and Examined.*

2736. *Chairman.*] YOU reside at Epsom?—Yes.

2737. And are in general practice?—Yes.

2738. Have you any observations to make to the Committee respecting the education of chemists and druggists?—I have thought a good deal upon the subject, and I have informed my mind a little upon it.

2739. Do you think it desirable that they should be educated and examined?—Yes, I think it is desirable that they should be educated, but certainly not in the manner this Bill provides.

2740. In what manner would you have them educated and examined?—I think it would be quite sufficient, if their education extended so far as to enable them to read physicians' prescriptions, and to know the nature of the drugs which they compound.

2741. To what part of the education stated in the Bill do you object?—I object to the centralising character of the Bill, and to the great power which is given by it to the Board.

2742. Do you object to the chemists and druggists being constituted one body?—I think there is no necessity for it whatever.

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2743. Do you object to other branches of the profession, physicians, surgeons, and general practitioners, being severally constituted into one body?—I have not thought sufficiently of that to be able to give a decided opinion.

2744. Are we to understand that you approve of chemists and druggists passing an examination?—Yes; but not such an examination as that which is provided for by this Bill.

2745. But you do not object to their undergoing a suitable examination?—No.

2746. In what manner would you regulate that examination, if the chemists and druggists are not to be constituted as a body?—I think that the most satisfactory mode would be for the magistrates of the county at quarter sessions to appoint two examiners, one of whom should be a medical gentleman, and the other a druggist, and that they should recommend licences to be granted; that would save a great deal of expense and time; that would obviate the objection of centralising, and I think that under some such regulation, a druggist would undergo quite as much examination as is required.

2747. Do you think that the magistrates at their quarter sessions would be suitable persons to appoint examiners for such a purpose?—I should think that they would be perfectly competent to appoint a proper medical gentleman to perform such a duty.

2748. Is it your object to keep down the qualification of pharmaceutical chemists as much as possible?—If they are to be medical men, I should like them to possess the same qualification, and to undergo the same examination as medical men; otherwise, I think they are sufficiently educated.

2749. Mr. Ewart.] Are you aware that some of the first medical men in the country are of opinion, that they are not sufficiently educated at present?—The first medical men of the country are not in my judgment the most competent persons to form an opinion upon the point. I think they would probably take an erroneous view, from not knowing what would be the effect of this Bill with reference to country practitioners.

2750. You are speaking with reference to country practice?—Yes, I am a country practitioner myself, and I am speaking as to the effect which this Bill, if passed, would have on me as a medical man, and on others in the same profession as myself.

2751. Mr. Hindley.] Are you afraid that the passing of this Bill would induce chemists and druggists to trench more than they do at present upon the business of general practitioners?—Certainly, I think the effect of it would be to wear out the general practitioners, and I could refer to one or two cases in which the practice of chemists and druggists as medical men has already worn out regular medical practitioners.

2752. You have probably seen a clause which has been laid before the Committee by a medical practitioner; supposing that clause to be inserted in this Bill, would your objection to the Bill be removed?—I have seen that clause, but it certainly does not remove my objection. I object *in toto* to the Bill; I object to concentration of such large powers, and to the vesting of them in the hands of a certain number of persons who have not yet proved their efficiency, or what their intentions are, but who will have more power than either the College of Physicians, the College of Surgeons, or the Apothecaries' Company; for the operation of the Bill extends over the whole of England, Scotland, and Wales.

2753. Chairman.] To what powers are you now referring?—To the power, among other things, of demanding an examination of all persons acting as chemists and druggists.

2754. Are you aware that there is nothing in the Bill to that effect?—I think there is a clause applicable to all persons who sell or prescribe drugs.

2755. Probably you have not paid attention to that clause of the Bill, which simply relates to the assumption of certain names, implying that the parties are qualified, and to the fact, that it does not prohibit the sale of drugs by other persons?—I think there is something very stringent in the 22d, or interpretation clause, which says, "The term 'Pharmaceutical Chemist,' used in this Act, shall be construed to include chemist and druggist, dispensing chemist, and every other term denoting a dispenser of medical prescriptions and vendor of medicines, not being a member of the medical profession."

2756. What restriction is there in that; will you turn to the restrictive clause?—I think



—I think that any person putting a blue or green bottle in his window, would come within the definition, because that would be indicating that he sold drugs.

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2757. Is there anything in the Bill which prevents a person from selling drugs without possessing the qualification required by this Act?—I think the last clause would almost prohibit the sale of drugs, except by persons possessing that qualification, and I think that that would have an injurious effect; for in country villages many small shopkeepers sell the common description of drugs, such as castor oil or rhubarb, and in cases of emergency I have found that to be extremely useful.

2758. Would this Bill prevent their doing it in future?—I should think it would.

2759. Would it prevent it, if they did not assume the name of chemist and druggist?—If they held themselves out as sellers of medicine, I should think it would.

2760. Could they not sell medicines without being chemists and druggists?—They do now.

2761. And could they not, after this Bill has passed, go on doing that which they are doing now?—I think not. I think that, if they put a coloured bottle in the window, that would indicate that they sell medicines.

2762. *Mr. Jackson.*] Yours is a country practice?—Yes.

2763. Do you find that the class of trademen to which you have referred do usually put up “Medicine sold here,” or some indication that they sell medicine?—Yes, they have bottles in the window, or something of that kind.

2764. *Chairman.*] Is there anything in this Bill to prevent their putting up “Medicine sold here?”—I should think so.

2765. The 15th is the restrictive clause, and that clause merely says that no person not duly registered as a pharmaceutical chemist according to the provisions of the Act, except in certain cases which are mentioned, shall assume the title of pharmaceutical chemist, or any other name or emblem implying that he is registered under the Act, or qualified to carry on or exercise the business or calling of a pharmaceutical chemist?—Yes, the clause to which I was referring was the interpretation clause.

2766. Would the fact of a man stating that he sells medicine imply that he sells it in the capacity of a qualified chemist?—The clause to which I am referring says that the term “Pharmaceutical Chemist” shall be construed to include chemist and druggist, dispensing chemist, and every other term denoting a dispenser of medical prescriptions and vendor of medicine, not being a member of the medical profession, or practising under a diploma or licence of a medical or surgical corporate body. I should be inclined to think that a man would be included in that description if he put up a bottle in his window.

2767. Does your objection to the Bill apply to the probable injury the chemists and druggists would inflict on general practitioners?—Certainly; the illegal practising of chemists has already been felt to a very great extent by regular practitioners. I know of one instance, in which a very clever gentleman, who established himself in a neighbouring town, and obtained at the University of London very high honours, has left the profession entirely in consequence of not being able to make, as an apothecary, half as much as chemists and druggists make by acting as apothecaries.

2768. You admit that the evil exists to a great extent now?—Yes, to a very great extent.

2769. Can you point out to the Committee in what way a Bill, the object of which is to create a separate class who shall have no medical functions whatever assigned to them, could tend to increase that evil?—I am afraid you have no provision in the Bill restraining the illegal practice which is now carried on by chemists and druggists; if they are to be allowed to practise as medical men, let them go through the same course of education as we do, and let them pass an examination at Apothecaries’ Hall. There are men now getting an income far superior to mine by practising as apothecaries, although they have never gone through an education entitling them so to practice.

2770. Do you think that, by confining the practice of pharmacy to the hands of medical men, pharmacy would be sufficiently attended to, or that it would be as much attended to as if there were a class of men exclusively devoting their attention to that subject?—I cannot say; I do not quite understand the bearing of the question.

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2771. The question is, whether it is not desirable, in order that a knowledge of pharmacy may be properly cultivated, to have a class of persons who devote their exclusive attention to that department without practising medicine?—I think that now they are sufficiently well educated, generally speaking, for the duties they are required to perform, and probably they think themselves better qualified than they are.

2772. Are you not aware that there are many who have had no education at all?—I am aware that there are such.

2773. Are you aware that every day such persons are going into business, never having been apprenticed, or having had any kind of education except that which they have picked up in the shop?—I should think that probable.

2774. Do you think that that is safe for the public?—I think that if the power of appointing examiners were vested in the magistrates, in the mode I have suggested, that would meet the case very well, because the parties would have to undergo certain examinations as to their ability to read prescriptions and the pharmacopœia. Such an arrangement would save very great expense, and it would be the means of keeping up a distinction between chemists and druggists and medical practitioners. I do not think, considering the extent of knowledge requisite for chemists and druggists, that it is at all necessary they should be dragged up to London at a great expense, to go through a course of education, and afterwards to pass an examination such as that which is contemplated by this Bill. At present they put large flaming papers in their windows, and those papers have a very considerable effect with the public. It is not known in London how much medical men, particularly in the country, suffer from the illegal practice which is carried on by chemists and druggists. We cannot very well prevent it, but we find that we are doing all the drudgery, and they are getting all the money.

2775. Do not medical men employ assistants?—There is not one in the town in which I live; we cannot afford to keep them.

2776. But is it not the custom in the country?—Not so much as formerly; it was formerly.

2777. Is it not the custom to a certain extent?—To a certain extent it is.

2778. Are these assistants always properly qualified men?—No, they are not. They are usually young men who have passed through an apprenticeship, but nothing beyond that.

2779. And do those persons attend patients?—I should suppose they do sometimes, in ordinary cases, but not in severe cases.

2780. Have you any other statement which you would wish to make to the Committee?—We have already a great many departments in medicine; I think there are 18 or 20 different bodies, and I think that even if my suggestion, as to vesting the power of appointing examiners in the magistrates, is not adopted, the Apothecaries' Company, or some other existing body, might have the appointment.

2781. *Mr. Wakley.*] Are you serious in recommending that the examiners should be appointed by the county magistrates?—I am indeed; I think that the magistrates would be perfectly competent to select proper medical men for the purpose; their duties are more onerous and much more responsible than that at present.

2782. *Chairman.*] Do you consider it would be satisfactory to the public, that the magistrates should have the power of appointing examiners, to inquire into the qualifications of persons seeking to become medical practitioners?—I do not call a chemist a medical practitioner.

2783. But I am putting the question with reference to medical practitioners, and I ask whether you think it would be satisfactory to the public for persons out of the profession altogether, to select examiners to inquire into the qualifications of persons seeking to become medical practitioners?—No, but here are a number of tradesmen asking for certain powers; and if those powers are delegated to them, they will in my opinion very soon interfere much more largely than they do at present with regular medical practitioners.

2784. Do you not admit that the business of a chemist and druggist requires a good deal of scientific knowledge?—Certainly not; not in the country.

2785. *Mr. Ewart.*] Do you think that people in the country should be left to the mercy of unskilled persons?—No; I would have them skilled to a great extent, but I would not require that they should be scientific men.

2786. *Chairman.*]



2786. *Chairman.*] Ought they not, in your opinion, to know enough of chemistry and botany, to enable them to distinguish the plants used in medicine?—I think that, if they are careful men, and if they learn to put medicine up properly, that is all that is required; they get their drugs, which are prepared with great care, usually from the wholesale druggists.

2787. Do you not think that a chemist ought to have sufficient knowledge, to be able to detect adulterations in drugs?—Yes, I think it is as well that he should be able to do so.

2788. Do you think that he would be competent to do that unless he were educated in scientific chemistry?—I think that, if he was an attentive careful man, he would soon be competent to do that. Perhaps the Committee will allow me to state, that there is now a chemist and druggist practising as a medical man in my own neighbourhood, whose name I will not mention, but who has been nominated to be on the council of the Pharmaceutical Society for the ensuing year; and I could state to the Committee some instances, which would show that although he is a very respectable man, he has been acting, not only illegally, but dangerously to the public. I have here ten cases which would shew that.

2789. What is the nature of those cases?—They are all decidedly cases in which he has practised as a medical man.

2790. Is the object with which you desire to introduce these cases to prove that chemists and druggists are in the habit of giving advice?—To show that they are practising as medical men.

2791. That has already been proved by many witnesses before this Committee?—The first instance which I would mention is the case of a man named Stone, who applied to the gentleman I speak of, saying he was suffering from scarlet fever; the chemist gave him a bottle of medicine, desiring him to come to see him again in two days, which, if he had been suffering under scarlet fever, would have killed him. Stone then went to another chemist, who told him it was itch, but it turned out to be a case of nettle rash. Then there was a man of the name of West, who went to the same person with a cough; he was treated for a fortnight by him until he was almost past assistance; this was edœma, from internal disease; the epiglottis being affected, occasioned cough. The third case was that of a stable-boy, who was treated for several days; he had inflammation of the lungs, which advanced to the second stage, and thereby the greatest danger was incurred. Proceedings were threatened against the chemist unless the money charged was returned, and the money was returned. In the next case a man had inflammation of the lungs, and was treated during four days. Mr. Shelly, my partner, could not interfere or prescribe, as the man was dying, and hence a life was lost. When this occurred I said, "The next man who dies in this way I will have a coroner's inquest upon him," though that, of course, is an invidious thing to do. The fifth was the case of a young person, the daughter of a coachman, who, after much treatment, was taken to a physician by the chemist's apprentice. The sixth case was the case of a baker's wife, who was kept under treatment for three weeks, and became so much exhausted, that when she came to be placed under my treatment I found that she required brandy and opium, and great attention to restore her.

2792. *Mr. Wakley.*] What was the nature of the treatment to which she had been subjected before?—She had been physicked violently with salts, and she could not bear it. I did not know that she had been under treatment, and I said, "Why did you take salts?" As I went away the nurse came and said, "As you seem serious about it, I had better tell you at once that she has been under the treatment of Mr. So-and-so for three weeks."

2793. *Mr. Ewart.*] The person named being a chemist and druggist?—Yes; and I may state that they visit the patients at their own houses very frequently. The next case to which I would refer is the case of Nesbit, who was a railway guard, who sent for a blue pill and a black dose; the chemist said, "I will send him something better, which will do him more good." Afterwards I was called up in the night to this person, who was apparently suffering from the effects of opium. The next case is that of a servant girl, who called for an ounce of salts; the chemist persuaded the girl to allow him to prescribe, and he charged her six shillings, and afterwards wrote to the mistress to allow him to see the girl again. The next case is the case of a servant of Mr. ——— (Mr. ——— being a patient of mine, residing in the town); she was treated for several days; the apprentice called twice; time was lost, and the woman becoming extremely ill,



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had to leave her place, and remained ill for a very long time; she had inflammation of the liver. Then the tenth case is a case of dental surgery, where the chemist attempted to remove a permanent tooth, which broke.

2794. *Mr. Hindley.*] You are aware that the practice to which you refer is illegal at present?—It is illegal, but it has increased very much since the establishment of the Pharmaceutical Society. The man to whom I refer is a person of very considerable intelligence.

2795. How do you propose to prevent the practice?—I am not aware of any means by which it can be effectually prevented, but I am anxious to prevent its increase, and I am sure that if this Bill be passed it will be more than doubled.

2796. Would you go the length of imposing a penalty on a chemist and druggist who prescribes?—I am not much in favour of imposing penalties. I do not quite know how such practice could be prevented, but I do not think that you ought to pass a Bill, the effect of which will be at least to double it.

2797. *Chairman.*] In what way would the passing of this Bill, in your opinion, double the practice?—If this Bill passes, the effect of it will be to give to chemists and druggists a status; they will be understood to belong to a Royal college, and they will put their flaming papers up in their windows, and those papers will no doubt have a very great effect with the public. They do it now in the most open manner, and they will certainly do it to a much greater extent if this Bill passes.

2798. *Mr. Jackson.*] Is it your opinion, that if this Bill becomes law it will increase the practice of prescribing by chemists and druggists?—I am quite convinced that it will do so, and to an enormous extent.

2799. You have no doubt about it?—No doubt whatever; I feel that if the Bill passes it will be perfectly ruinous to medical practitioners generally.

2800. *Mr. Ewart.*] On what ground?—I have referred the Committee to several cases which have occurred in my own neighbourhood.

2801. Those cases show the existence of the practice already; but how can they show that that practice will be increased by the passing of this Bill?—Because if this Bill passes, the effect of it will be to place chemists and druggists in a higher position; a man will say, “I am a member of the Pharmaceutical Society,” he will exhibit his diploma in his window, and the public will, no doubt, have much more confidence in him than they have at present.

2802. Will not the effect of the Bill rather be to divide the profession into distinct parts, giving to one man a particular department, to which department he will be obliged to confine himself?—I think that if this Bill were to pass it would have a very injurious effect upon medical practitioners, unless you introduce some very stringent clause to prohibit chemists and druggists from practising; if you were to introduce some such clause as that, then you would do something for us.

2803. *Chairman.*] Do you believe that chemists, now occupying the highest position as chemists, are guilty of this kind of practice?—I have stated that the gentleman to whom I have referred does so practise, and he has been proposed as a fit person to be on the council of the Pharmaceutical Society for the ensuing year.

2804. I believe you are aware that any member of the society may be proposed as a member of the council, whatever be his standing?—I am not aware of that. I may say that the person to whom I have alluded is a clever, pushing man; he is a dissenting minister, and his apprentice, or one of his young men, was a reader; they have amazing power, and exercise great influence in the neighbourhood; they are teetotallers; they have persons down there to preach, who say, “Your medical men are a parcel of fools.” All these things act very beneficially for them and very injuriously to the regular medical practitioners.

2805. *Mr. Ewart.*] Are you aware that chemists on the Continent interfere much less with medical men, and prescribe much less, than they do in this country?—I am aware of it.

2806. And are you aware also that those chemists have a central system, and undergo a regular examination?—I have heard so; but then they are restricted by law from doing that which chemists do to a great extent in this country. I may state that the chemist to whom I have referred is probably in a better position with regard to the number of his patients than I am in myself.

2807. *Mr. Wakley.*] Has your attention been called to the 11th clause of the Bill,



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Bill, which provides for the education and examination of the candidates for registration as chemists and druggists?—Yes.

2808. What do you think would be the effect of adding a proviso to that clause, that in such examination the candidates should not be examined as to their knowledge of the theory and practice of medicine, or as to their knowledge of surgery or midwifery?—I do not think that the public would be much benefited by that.

2809. Do you think that the practice of the chemists and druggists would increase, although it were by law provided that the examiners, when a man applies to them for his diploma, should be restricted altogether from examining him as to his knowledge of the theory and practice of medicine, or as to his knowledge of surgery or midwifery?—I believe that the effect of the Bill, even if such a provision were introduced into it, would be to more than double the illegal practice of dispensing chemists.

2810. Do you believe that the mass of the public are so ridiculously stupid that they would apply for medical advice to a chemist, if they knew that the persons who examined him were interdicted by law from subjecting him to an examination which should prove his knowledge of medicine?—We all know how very easily the public are led away by newfangled notions; they are not at all cautious in these matters. If they were suffering from serious illness, they probably would then apply to a regularly educated man, but in trifling matters they would believe the registered pharmaceutical chemist to be more competent to give them advice than they believe chemists now to be.

2811. I would draw your attention to Clause 9, with respect to registration. You are aware that by the provisions of that clause a medical practitioner cannot register as a chemist and druggist?—Yes, I have heard that mentioned.

2812. If a party be prosecuted for practising medicine, and it be proved before a judge, to the satisfaction of the jury, that the individual has been practising medicine, and he is not entitled as a chemist and druggist to register as a medical man, would not that greatly facilitate the court in determining whether a man had been guilty of illegal practice or not; and is it not a line of demarcation drawn between qualified and unqualified men that does not now exist in any statute whatever?—I do not know; his being registered would make him known as a chemist and druggist, but how far it would have the effect of enabling a judge to determine the question with reference to the extent of his rights I could not say; because the Apothecaries' Act provides that chemists and druggists shall not be interfered with, or be prevented from doing that which they have done in times past.

2813. That is, that they shall carry on their business as chemists and druggists in dispensing medicines, but not in practising as apothecaries or medical men?—That is the only mark of distinction, and the only good effect I could possibly imagine this Bill would have with regard to medical practitioners.

2814. But is not the line of distinction so striking and so marked, that it would aid the court in a way in which it has never before been aided?—Yes; but it is difficult to find a person who will bring cases into court where a chemist has been guilty of illegal practice; it is a very invidious thing to do. I have been injured in the cases to which I have called the attention of the Committee to the amount perhaps of 30 *l.* or 40 *l.*, but I should not like to incur the odium of bringing forward a complaint; if I did so, it would probably injure me to the extent of several hundred pounds.

2815. You suggest that there should be restrictive remedies?—No, I have not suggested that.

2816. If parties have a law to aid them, and will not seek to put it in force, of whom can they complain?—I have stated that it is a very invidious thing to complain in such cases.

2817. Do you believe that if in the examinations the examiners are restricted from testing the knowledge of candidates with reference to the practice of medicine, surgery, and midwifery, and if the chemist and druggist is absolutely prohibited from registering as a medical man, and a medical man is absolutely prohibited from registering as a chemist and druggist, the operation of the law will be disadvantageous to the medical practitioner?—I have seen the evil effect of it as the law now stands; I know it in my own person, and I suffer from it in my pocket. I know that illegal practice exists to a very great extent; and I am sure that the effect of this Bill will be largely to increase the confidence which the



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public feel at present in chemists and druggists, and more than to double their present practice.

2818. Mr. *Ewart*.] Giving full latitude to your apprehension, that the number of persons who practise across the counter would be increased if this Bill were to pass, do you not think it better for the public that the persons so practising should be better educated than chemists and druggists have been described to be?—I quite agree that they should be educated to the extent that is necessary, and that they should be examined.

2819. You admit that examination would be a good thing?—Yes, I admit that examination would be a good thing.

2820. But you would recommend that the appointment of the examiners should rest with the county magistrates?—I think that that would answer every purpose. If the person I have mentioned had been a regularly educated apothecary, of course I could not have objected to his practising, but he comes there without having passed through a regular course of medical education, and takes away practice from those who, at a great expense, both in time and money, have gone through that course of education. I know one instance of a highly educated man, who has received 50 l. a year from the University of London, in consequence of the high degree which he has taken, but he finds that he has no chance against the chemist.

2821. Would you have the examiners in London also appointed in the mode you have suggested?—In London I think the appointment might rest either with the University of London or with the Secretary of State.

2822. Do you think that one of the examiners should be a medical man?—Yes; I think that the magistrates of the county should appoint a medical man, either a physician, a surgeon, or an apothecary, and that they should also appoint a chemist, so as to insure fair play between the two classes. I think that the persons who would be so appointed would be fully competent to make any examination that would be necessary; because really, after all, the amount of knowledge necessary for carrying on the business of a chemist is not great.

2823. Mr. *Jackson*.] Do you understand that if this Bill passes, no person will be allowed to carry on the business of a chemist and druggist except he be a registered pharmaceutical chemist?—Yes.

2824. Do you understand it is intended to give an exclusive monopoly of the trade of a chemist and druggist in Great Britain to chemists, styled pharmaceutical chemists?—Yes, I think it will have that effect.

2825. And do you apprehend that in remote villages, and distant parts of the country, that would occasion difficulty?—Yes, I think it would be very awkward indeed. I may state that, should this Bill become law, I shall seriously consider, as I am bringing up two of my sons to the medical profession, whether it will not be preferable that they should pass this new society (under the name pharmaceutical chemist), whose duties and position are left undefined, and whose title certainly sounds like something more than apothecary, and in this manner allow them to practise as medical men. I would also state that there is a circumstance which has been overlooked by the framers of this Bill, namely, the great expense attending the bringing from the very extremities of England and Scotland every person attempting to obtain a living by selling drugs; and I suppose that that would apply also to the sale of patent medicines.

2826. *Chairman*.] No; patent medicines are exempted from the operation of the Bill; but is not the same rule applicable with reference to the Society of Apothecaries, the College of Surgeons, and other institutions of that description?—It has been much modified at Birmingham and other places; they have large hospitals, in which they are taught, and they only come up to London to be examined.

2827. Are you not aware that the object of this Bill is to give to chemists some proper professional education?—I think it is a great objection to the Bill that you are making chemists professional men.

2828. They are not to be professors of medicine, but professors of chemistry only?—It is very much like splitting straws. I think you will bring us back to the position we were in in the year 1815, and that we shall have to give way at last; it is not likely that medical men will do all the drudgery out of doors, when they find that chemists can ride about on their horses, and take a great part of their means of living from them, which I can assure the Committee is the case at present.

2829. You state that as a fact existing at the present time?—Yes, it exists at the



the present time ; but the practice is greatly increasing. I did say that I would take some proceedings the next time that a case of the kind occurred, but, as I have said before, it is a very onerous and invidious thing to do, for these men have great power and influence.

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2830. *Mr. Wyld.*] Is it not the province of the Apothecaries' Company to prosecute any individual who infringes their Act?—Yes.

2831. And therefore a licentiate of the Apothecaries' Company who is injured by such practice as that to which you have referred is not bound to institute the proceedings himself?—No, but it is necessary for him to bring forward the case and the evidence in support of it, and it would soon be known who was the moving party.

2832. Have you sufficient confidence in the magistracy to induce you to think it would be satisfactory to the public if they were allowed to appoint the examiners?—Yes, and I believe it would have a very beneficial effect, and that the public would be very grateful for it ; it would save a very great expense in every way. Suppose a young man moderately educated to have a few pounds, and to be desirous of establishing himself as a chemist, it would be very hard upon him to require that he should incur all the expense which would be necessary to enable him to undergo the examination provided for by this Bill.

2833. Have you any precedent for a body like magistrates throughout the country appointing a scientific officer for the purpose of conducting a scientific examination?—You cannot call him a scientific officer. All that would be necessary in the education of a chemist would be to enable him to dispense prescriptions and to understand the pharmacopœia, and I think there might be appended to that the sale of poisons. I may state that I have been for thirty years engaged in country practice ; it is bad enough now ; and if this Bill passes, I am fully persuaded that it will become much worse. The work which we have to do for the small amount of money which we receive is known to ourselves only.

2834. You wish to leave the appointment of the examiners with the magistrates more as a matter of police than in any other way?—Yes ; I think they are quite competent to perform the duty of selecting one physician, or properly educated man, and one chemist. The medical man might be brought from London, and might be appointed by the Secretary of State. Then I would observe that a most glaring injustice will be committed by this Bill, by making a new and almost unknown society to supersede the Society of Apothecaries, which has existed some hundred years, and has gradually advanced the education of its licentiates to a very high standard, and has thus done its duty to the country and promoted the public health. The bad position of the Apothecaries' Society is in its name, and continuing to carry on trade ; its examination is the most scientific of any in Europe giving licence to practise medicine. Young men have now to fag for years night and day, and after all their anxiety, and all their labour, when they have done, they get nothing but hard work and very little pay.

2835. *Chairman.*] Has not the society become a medical body, and are not all its licentiates medical men?—They are.

2836. This is a Bill, the object of which is to qualify men in pharmacy and chemistry, to prohibit them from being medical men, and to exclude medical men from being pharmaceutical chemists?—Yes ; you take all and give nothing ; an apothecary is bound to put up physicians' prescriptions, if required, and therefore the dispensing of physicians' prescriptions are already provided for.

2837. Are the majority of physicians' prescriptions dispensed by apothecaries?—No, not a tithe of them.

2838. How then can you say they are provided for, when nine-tenths of them are dispensed by persons who are not obliged to have any education?—They are already provided for by law.

2839. Was it not intended, by making that provision, that physicians' prescriptions should be compounded by qualified persons?—I do not know ; the Act simply says, that apothecaries shall be bound to dispense the prescriptions of physicians.

2840. Are they not also bound to pass an examination?—Yes.

2841. Then is not the inference, that the persons who dispense physicians' prescriptions ought to be qualified?—They ought.

2842. Then, as you admit that about nine-tenths of the prescriptions of physicians are dispensed by persons who undergo no examination, is it not as necessary



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in the year 1852 that such persons shall pass an examination, as it was in the year 1815, when the Apothecaries' Act was passed?—I think they should undergo an examination to some extent, and I think that that examination might be provided for in the manner I have suggested, without in any degree infringing upon the rights of medical men.

*Theophilus Caractacus Lewis*, M.D., called in; and Examined.

T. C. Lewis, M. D.

2843. Mr. *Hindley*.] WILL you have the goodness to state to the Committee, as shortly as you can, your views with regard to this Bill?—A dispensing chemist, I think, should not belong to any medical licensing body, nor should any person who had a degree of bachelor or doctor of medicine of any British or foreign university be registered as a chemist and druggist. This is necessary, for a university is not a medical body, but a general institution; and if this Bill were to pass in its present form, there would be nothing to prevent a chemist and druggist registered under the Bill from taking a medical degree, and by a late law, graduates in medicine are permitted to examine and sign for the committal of lunatics. Persons on the register should not be permitted, under a penalty, to call themselves physicians, obstetricians, men-midwives, surgeons, accoucheurs or medical men; that, I take it, is a very important point.

2844. *Chairman*.] Would your objection be removed if, after the words, “Or practising under a diploma or licence of a medical or surgical corporate body,” there were added the words, “or a graduate in medicine of any British or foreign university”?—Yes.

2845. Have you any other suggestion to make?—Yes; the subjects of examination should be, in my opinion, specifically mentioned, and they should be, first, the London and Edinburgh Pharmacopœias, in the language in which they are published, and in the prescriptions of medical men; the Bill does not provide for that; the examination should not be confined to the prescriptions of physicians, but to the prescriptions of medical men. I think another subject of examination should be the physical, chemical, and botanical properties of drugs and chemicals; thirdly, the science and art of preparing the substances used by medical men; fourthly, the science and art of dispensing medical prescriptions. These would be on the whole sufficient, and at the same time the minimum which should be required by the Bill. I prefer knowing well to knowing much; to know that which before us lies in daily life is the prime wisdom; in fact, they should be examined in the very matters which they would have daily to pursue, the buying and selling of pure, sound drugs and chemicals, and the dispensing of prescriptions correctly. Besides, if you make the examinations too extensive (make it as strict as you like), you might have, comparatively speaking, a very limited number of chemists' shops, and difficulty might sometimes arise in sending a long way to a licensed chemist under the Bill; for I take it, although any man may sell drugs, &c., under the Bill, any man, if this Bill passes, will not be permitted to dispense the prescriptions of medical men. The present race of medical men confine themselves to merely getting their agents to dispense the prescriptions which they themselves write. It is said that apothecaries are obliged according to law to dispense the prescriptions of physicians, but I doubt it; and I have known the apothecary refuse to do it; consequently, if you had but a limited number of chemists, the charge made for dispensing prescriptions might be made higher, and the public might not be very well pleased, or able to bear it. There is a limit to all acquirements, and all you should do would be to protect the public, by seeing that he is master of the business which he seeks to follow; nothing more; it might be as well to see if his sight were good, and that he had the right use of his hands. Then I think the court of examiners should consist of persons belonging to the medical profession, and of persons on the register, to be called into operation under this Bill. Surely you would not make chemists the sole judges of whether the prescriptions of medical men were properly dispensed, when there are men to be found, of high education, who also make up prescriptions, as well as write them, and who, therefore, must, or should be, members of any court of appeal or examining board. I think the examinations should be practical, so as to test the skill of the parties, and I think they should be public too. Then I think that their drugs and chemicals, weights, and measures, and so on, should be pretty rigidly inspected, by persons appointed by the examiners; they must take the *onus cum dignitate*; everything



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everything depends on the purity of medicines prescribed; and the drugs and chemicals of the prescribing medical man can be inspected, and are inspected by persons appointed by the Society of Apothecaries. This, in my opinion, is most proper; and if they are to dispense medical prescriptions this guarantee should be given both to the public and the legal writers of prescriptions. They can afford to pay the necessary expense of carrying out these suggestions, because they will get higher premiums with their apprentices if this Bill passes, and practically they will have a monopoly as regards the dispensing of prescriptions of medical men. Moreover, they carry on a good trade in supplying medical men with drugs and chemicals, lint and leeches. I think that the bye-laws and necessary regulations of the Chemists' Society should not be valid until they received the sanction of the Home Secretary, as is the case at the College of Surgeons for example. But the question arises, Why should the present Pharmaceutical Society have power to make bye-laws, &c., binding upon any other persons than their own voluntary members? If this Bill passes, must a registered chemist and druggist, after examination, be obliged, *nolens volens*, to be a member of that chartered institution? The Apothecaries' Society has no such power over the practitioners of medicine at the present day.

2846. Mr. Wyld.] You have stated that there is an inspection at present of the drugs and chemicals of an apothecary, but that there is no such inspection of the drugs of chemists and druggists?—That is so. About three years ago a deputation from the Society of Apothecaries knocked at my door, and demanded to look at my drugs. I do very little in the way of dispensing, as I am surgeon to a public dispensary. I think that dispensing chemists should not be permitted to practise medicine or surgery in any way whatever, either at their own shops or elsewhere. I think their doing so is a great evil, as far as the public are concerned, as well as being injurious to the regular medical practitioners. I have no son, but if I had, I certainly should not bring him up to the profession. I would state that I object to the term “pharmaceutical,” because it includes more than mere pharmacy. Mr. Smart, in his excellent dictionary of the English language, so defines the term “pharmaceutical.” When you instruct a man in a knowledge of the effects of medicines when prepared, without giving him a thorough medical education and training, he is more likely to succeed in deceiving the public that he is competent to prescribe as well as to dispense medicines; and I hold that no man should be permitted to prescribe for another person who is not a legally qualified medical man. I would substitute, then, the term “dispensing” for “pharmaceutical” chemist. The word “dispensing” is perfectly intelligible to every one, and it would define the limit to which they should be permitted to go, namely, to use the words of the Chairman of this Committee in the House of Commons, on the 17th of March 1852, “the duty of dispensing medical prescriptions.”

2847. Chairman.] What do you understand by the term “pharmacien,” as used in France?—The name is taken from a Greek word, which signifies medicine or poison.

2848. Is not pharmacien identical in meaning with pharmaceutical chemist? Yes.

2849. What is the meaning of pharmacien; is a pharmacien a medical practitioner?—No; he is a person who merely dispenses drugs; they have no class answering to our apothecaries in France.

2850. If the word “pharmacien” is identical in meaning with pharmaceutical chemist, and if the former word means a dispensing chemist, does not the latter word necessarily mean the same thing?—Yes, but if the French do wrong, that is no reason why we should do wrong; if they use a number of improper terms, that is no reason why we should follow their example. There is a long article in a late number of the “Edinburgh Review,” on the subject of language, and I quite agree in a great deal of what is there said, for it is within everybody's experience that you cannot go into a drawing-room without hearing words used which nine-tenths of the people present do not comprehend.

2851. Mr. Jackson.] Would you have prescriptions written in Latin or in English?—I think that might be left to the option of the prescriber.

2852. Is it not at present common to write them in Latin?—Yes it is, and I believe there is a bye-law of the College of Physicians which makes their licentiates punishable if they write prescriptions in English.

2853. Do you think it would be advantageous if it were made compulsory that prescriptions should be written in English?—Yes, I think I would even go that

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length, for it would be a protection to the parties who pay their money, who would then be able to know what medicine was prescribed, and that it would tend to make students learn their profession thoroughly. I think that if chemists are to dispense prescriptions, and if those prescriptions are to be written in Latin, they certainly should be examined in the "London and Edinburgh Pharmacopœias," as the Bill is to apply to Scotland as well as England and Wales.

2854. *Chairman.*] Have you anything further to state to the Committee?—I think that a clause might with advantage be inserted into this Bill, declaring it not to be compulsory upon apothecaries, as it is said to be at present, to dispense the prescriptions of medical men.

2855. *Mr. Jackson.*] How would you provide for a case in a rural district where the apothecary was the only dispenser of medicine, and where the physician came from a neighbouring town?—I own there would be a difficulty there. I would say that every registered chemist and druggist should be obliged to keep a copy of the last edition of the "London and Edinburgh Pharmacopœias" and a good Latin dictionary or lexicon in his shop. There should be a penalty, too, if he refuses to dispense the prescription or prescriptions of legally qualified medical men. This duty he should be obliged to do night or day if on the premises, provided the prescription was written in a clear handwriting, and in good Latin or English. He ought to have the power of refusing to give dispensed medicines to any child under 10 years of age.

The Chairman stated that he had received from Dr. Maclagan, a witness examined on a former day, a letter, dated 66, Frederick-street, Edinburgh, May the 7th, 1852, which contained the following extract, which extract was ordered by the Committee to be inserted in the Minutes:—"I thought of looking into the Minutes of the Royal College, to see what was done in reference to the resolutions of 1834, which I laid in manuscript before the Committee. I find that on the 25th of February 1834, a report was given in from the 'Conference Committee' of the College on medical reform, of which committee I find that my father was convener. This report is exactly the document which I put in evidence before you. The consideration of it by the Royal College was taken up at a special meeting, on March the 1st, 1834, and whilst there was much discussion about the other clauses (with which your Bill has nothing to do), the whole clauses anent chemists and druggists were adopted by the College of Surgeons *nem. con.*"

[The resolutions referred to are contained in Answer 1817, April 27.]



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*Apprentices*. Until the establishment of the Pharmaceutical Society there was no definite course of instruction, even supposing an apprentice were desirous of informing himself respecting his business, *Savory* 472, 473—Importance of all apprentices undergoing a classical examination, *ib.* 573—Manner in which apprentices to chemists and druggists formerly picked up a knowledge of their business; no theoretical instruction was ever afforded, *Squire* 784-790—If a compulsory examination were introduced, the apprentices would be induced to learn, and exert themselves to a greater extent, *Giles* 1303, 1304; *Mackay* 1722, 1723.—See also *Assistants*.      *Examinations*, 1.      *France*.

*Assistants*. The absence of any examination in this country leads to neglect of studies during apprenticeship, and consequently to their knowing little or nothing of their business when they become assistants, *Savory* 470, 471—Great difficulty found in obtaining competent assistants, *Savory* 474-477; *Mackay* 1707—Improvement in the general education and qualification of assistants since the establishment of the Pharmaceutical Society, *Savory* 611-617—It is not necessary for assistants to be educated or examined as pharmacutists at the Mauritius; the proprietor of the shop is responsible, *Baschet* 1212, 1213—The state of education among assistants abroad is far in advance of the same parties in this country, *Mackay* 1708, 1709—The Bill would greatly tend to remove the difficulty of obtaining qualified assistants, *ib.* 1733.

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## III. Constitution of the French Board of Examiners.

## I. Attempts made by the Pharmaceutical Society to form a Board, and failure thereof :

Conferences have taken place between the Pharmaceutical Society and the College of Surgeons, for forming joint Boards of Examiners, but have led to no result, *Wilson* 63, 64 ; *Savory* 493-512 ; *Smith* 973—In consequence of this the Pharmaceutical Society appointed a Board, and have been conducting examinations ever since, *Wilson* 65 ; *Savory* 507-525—Witness sees no objection to giving them this power by Act of Parliament, *Wilson* 66-72—The College of Surgeons has no disposition to make a joint Board with the chemists for such an examination ; they do not consider it within their province to do so, *South* 197-200.

## II. Suggestions relative to the Constitution of the Board :

## 1. Opinion that the formation of the Board should be left to the Society :

It is desirable, fair, and proper that the chemists should have the management and examination of their body, without the interference or control of any other branch of the medical profession ; nor need they trench on the privileges of any other branch *South* 218—There is no objection to entrusting the Pharmaceutical Society with the examination of the future chemists and druggists, *Sir B. Brodie* 728-738. 765-781—Objections to the proposition for placing the chemists and druggists under a Board of Examiners appointed by the medical colleges, *Mackay* 1689-1700—Witness has no objection to members of the medical bodies being upon the Board of Examiners, but there is no reason why the body of pharmaceutical chemists should not have the selection of their own Board of Examiners, *Maclagan* 1860-1862—The different Boards of Examiners should be as nearly as possible assimilated in practice and in the qualification required ; the education and tone of examination should be as uniform as possible throughout the country, *ib.* 1883-1893—The same privilege which is granted to the physicians and surgeons of managing their affairs, is undoubtedly due also to the chemists and druggists, *Hall* 2218—There would be no objection to the Board of Examiners being composed entirely of pharmaceutical chemists, *ib.* 2272-2281—Objections to the College of Physicians and Surgeons being the examiners of pharmaceutical chemists, *O'Connor* 2657-2661.

## 2. Recommendation that Medical Men should be included :

The Board of Examiners should not be composed entirely of the members of the Pharmaceutical Society ; the conjunction of members of the Colleges of Surgeons and Physicians would be desirable, *Savory* 690-694—If a stringent examination is to be conducted, there is no good reason why the Pharmaceutical Society should object to one of the members of the College of Physicians being present either as an examiner or as an assessor, *Renton* 1983, 1984. 1993—The Board of Examiners should be a joint Board composed of a certain number of medical men, professors of chemistry and professors of physic, *Propert* 2487, 2488 ; *Lewis* 2845—Objections to the Pharmaceutical Society being an educating and licensing body ; it has always been held with reference to our medical institutions, that the examining body and the licensing body ought not to be the educating body, *Ancell* 2547-2551.

## 3. Recommendation that Magistrates should have the Appointment of the Examiners :

Objection to the centralizing character of the Bill, and the great power which is given by it to the Board, *Stilwell* 2741. 2752-2756—The most satisfactory mode of examination would be for the magistrates of the county, at quarter sessions, to appoint two examiners, one of whom should be a medical gentleman and the other a druggist, and they should recommend licenses to be granted, *ib.* 2744-2747. 2770-2783. 2818-2822. 2832, 2833—There are already eighteen or twenty medical bodies, and witness is of opinion that, even if his suggestion as to the vesting the power of appointing examiners in the magistrates is not adopted, the Apothecaries' Company, or some other existing body, might have the appointment, *ib.* 2780-2783.

## BOARD OF EXAMINERS—continued.

II. *Suggestions relative to the Constitution of a Board*—continued.

## 4. Importance of the Medical Profession of Scotland being represented in the Board:

Opinion that the Scotch medical bodies should be represented in the Board of Examiners, *Gairdner* 1442-1446. 1526, 1527; *Coombe* 1597-1602; *Watson* 1656-1658—Suggestion that Glasgow should have a Board for examining the pharmacutists, to sit either constantly or occasionally; there are several well-qualified pharmaceutical chemists in Glasgow, fully able to examine on the practical part of their profession, *Mackay* 1686, 1687; *Watson* 1922-1927—The same accommodation should be given to Aberdeen and other large towns at a distance from Edinburgh, *Mackay* 1686, 1687; *Watson* 1923—Objections to the formation of a Board of Examiners in London, who shall have the nomination of examiners in Edinburgh, *Renton* 1977-1982. 1993—Considering the strong interest the College of Surgeons has always taken, and the rights they have in regard to pharmacy, they ought to be directly represented in any body that may have charge of pharmacy in Scotland, *Wood* 2040-2055.

III. *Constitution of the French Board of Examiners:*

In France the Boards of Examiners are composed of four professors of the school of pharmacy and two professors of the school of medicine, *Kopp* 1409.

See also *Examinations. Pharmaceutical Chemists.*

*Bristol.* See *Auxiliary Associations.*

*Brodie, Sir Benjamin, Bart.* (Analysis of his Evidence.)—Has devoted considerable attention to the laws relating to education in the medical profession, 715, 716—Opinion that persons practising as chemists and druggists should devote their attention exclusively to chemistry and the manufacture of medical substances, 717-720—Where persons are engaged in the medical profession, there is a tendency to neglect pharmacy, from their not having time to attend to it, 719—It is very desirable that all chemists should pass an examination under the jurisdiction of a body well acquainted with pharmaceutical chemistry, 721-723—Witness considers the object of the Pharmaceutical Society a good one, 724-726—In the establishment of a new system by Act of Parliament, it is usual to grant some indulgence to those already in business; the Act cannot be made retrospective, 727—There is no objection to entrusting the Pharmaceutical Society with the examination of the future chemists and druggists, 728-738. 765-781.

Great public advantage would be derived from giving a statutory existence to the Pharmaceutical Society, 733-742. 747-751—Impossibility of elevating the character of the body of chemists without introducing a superior system of education, 738-742—The education of chemists and druggists in chemistry and pharmacy would not tend to their encroaching upon the medical profession, 743-746—Impossibility of confining the sale of drugs to persons having passed an examination, and received a license from the society, 748-753—Present inspection of drugs; frequency of prescriptions suffering from the bad quality of the drugs, 754-758—As a body, the chemists of this country are not sufficiently educated; necessity for some legislation, with a view to remedy this defect, 759, 760—Witness would put the chemists upon the same footing as that of the surgeons, as to examination and obtaining his diploma, 761-763—There are more scientific men among the French pharmaciens than among the English chemists, 764—Recommendation, that in the event of the Pharmaceutical Society being entrusted with a legislative power, they should be placed under the supervision of the Secretary of State, in the same manner as the College of Surgeons, 775-781.

*Bye-Laws.* Objection to the enormous power which is given by this Bill, of framing bye-laws, *Cormack* 2389-2392.—See also *Home Secretary.*

## C.

*Certificates.* The penalty against fraudulently obtaining a certificate is not sufficiently severe, *Renton* 1997.

*Charters.* See *Apothecaries' Company. Corporate Bodies.*

*Chemists and Druggists.* Opinion that pharmacy cannot be so well or so thoroughly carried out by apothecaries, or by medical practitioners of any denomination, as by a class of men whose attention is specially and wholly given to the subject, *Wilson* 25-28—Approval of the Bill at present before the House by the general body of chemists, *Savory* 556-558. 618-621. 632-688—No person should be allowed to sell any description of drugs who had not passed an examination as a chemist and druggist, *ib.* 639-689. 705—Persons practising as chemists and druggists should devote their attention exclusively to chemistry and the manufacture of medical substances, *Sir B. Brodie* 717-720.



*Chemists and Druggists*—continued.

If a Bill of the description now before The House were passed, it would tend very much to the improvement of the trade and the advantage of the public, *Herring* 861—Evidence showing that the same amount of science and the same knowledge of chemistry which is essential in one place is not necessary in another, *Gairdner* 1449. 1455—It might perhaps be well to mark two classes, the scientific chemist and the dispensing or vending chemist, and their education might be different, *Webster* 2176-2189—There are some very scientific chemists who are fully qualified to prosecute their profession, but many others are not so qualified, *Hall* 2210.

See also *Apothecaries. Assistants. Board of Examiners, II. 1. Competition. Corporate Bodies. Counter Practice. Dispensing Chemists. Distinction of Professions. Drugs. Education. Examinations. Foreign Pharmacutists. Illegal Practice. Inspection of Drugs. Ireland. Medical Practice. Monopoly. Patent Medicines. Pharmaceutical Chemists. Prescriptions. Qualification of Chemists. Retail Shops. Sale of Drugs. Scotland. Sweden. Toxicology. Widows of Chemists.*

*Classification of Professions.* See *Distinction of Professions.*

*College of Chemistry.* Opinion that there are not so many pharmaceutical students in the College of Chemistry as there would be if they were obliged to study their profession; number of pupils in the German universities, *Hofmann* 1144-1146.

*College of Physicians* (Edinburgh). Copy of the suggestions of the College of Physicians on the subject of the Bill, containing their objections thereto, *Renton* 1930.

See also *Inspection of Drugs.*

*College of Surgeons.* There is an examination in the College of Surgeons for persons who practice surgery, but it is a voluntary examination, *South* 184-188—It is a defect in this institution that they have not that power which other institutions have, as he considers it desirable to enforce an examination in every case in which the health and the life of the public require it, *ib.* 189, 190.—See also *Board of Examiners, I.*

*College of Surgeons* (Edinburgh). Witness has no instructions, as representative of the College of Surgeons, to oppose this Bill *in toto*, if certain objections which the College have urged against it are satisfactorily met; nature of these various objections, *Gairdner* 1436—If these objections be not met, the College will feel it its duty to oppose it in all its future stages, *ib.*—Evidence, in detail, on the effect of the Bill on medical licentiates, more especially upon the licentiates of the Royal College of Surgeons of Edinburgh, and of the Faculty of Physicians and Surgeons of Glasgow, *ib.*—Way in which various clauses of the Bill would injuriously affect those parties by preventing their uniting pharmacy with their ordinary medical practice; amendments of these clauses suggested, *ib.* 1436-1442—Assertion of the College of Surgeons, that the Bill would operate injuriously as regards schools and certain Scotch institutions, more especially the Royal College of Physicians and Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, *ib.* 1442—Observations on the objections of the College of Surgeons of Edinburgh as regards the interests of the druggists themselves, *ib.* 1446 *et seq.*

The present Bill would in no way interfere with the licentiates of the College of Surgeons carrying on business as chemists and druggists, *Maclagan* 1832-1834. 1848-1858. 1904-1909—Discussion which took place in the College of Surgeons on the subject of the Bill; majority of members present opposed to the Bill, *ib.* 1835-1839—There is no objection to licentiates acting in that capacity, *ib.* 1859—It would be exceedingly satisfactory to the fellows of the College of Surgeons if some means were taken to secure them against this new class of pharmaceutical chemists ever rising into medical practitioners, *Wood* 2040. 2056-2062.—See also *Examinations, 2.*

*Competition.* Opinion that the remedy for this ignorance on the part of chemists and druggists, of which so much talk is made, is in a progressive state, from the fact of the competition which exists, *Gairdner* 1449—Witness considers the public are quite safe if they will trust to this system of competition, and to the penalty which the loss of capital embarked in an unsuccessful trade necessarily imposes upon those who fail, *ib.* 1449. 1454. 1466-1471—Opinion that this Bill, without certain safeguards being provided, would tend to increase the competition at present existing between the chemists and druggists and the humble class of general practitioners, *Cormack* 2376-2385. 2412 *et seq.*; *Ancell* 2443-2452.

*Compounding Drugs.* The office of chemist and druggist should be entirely confined to the compounding and selling of drugs, and in no case whatever should he prescribe, *Hall* 2226-2251.—See also *Dispensing Chemists.*

*Compulsory Clauses.* The effect of the compulsory clause of the Bill would be to deprive many of the remote districts of the services of the men who at present conduct the trade  
0.42. satisfactorily;

## Report, 1852—continued.

*Compulsory Clauses*—continued.

satisfactorily; the trade of a druggist is nothing but a trade, *Coombe* 1557. 1560—The College of Surgeons do not object to, but rather approve of the Bill, provided it is not made compulsory and restrictive, *Wood* 2030-2032.—See also *Penal Clauses*.

*Coombe, James, M. D.* (Analysis of his Evidence.)—President of the College of Surgeons, 1554—Has heard Dr. Gairdner's evidence, and concurs with him in the general purport of that evidence, 1555, 1556—Witness takes the same objections to this Bill as those which Dr. Gairdner has stated to the Committee, 1557—Witness objects to the monopolizing character of the Bill, in so far as it tends to advance chemistry and pharmacy, 1557—The exertions which the Pharmaceutical Society are making to improve the character of chemists are not of much importance, 1557-1559—If this Bill were passed as it now stands it would be attended with inconvenience to the public at large, particularly as regards remote country districts, 1557. 1560.

The effect of the compulsory clause would be to deprive many of the remote districts of the services of the men who at present conduct the trade satisfactorily; the trade of a druggist is nothing but a trade, 1557. 1560—Although the object of the Bill is not to qualify men to give medical advice, it will not be easy to prevent this being the effect of it, 1560-1567—It is important that the medical licentiates of Scotland should be secured in the possession of whatever rights they at present possess, 1568, 1569—As the present Bill if passed into an Act may possibly interfere with these rights, witness would desire that they should possess every right which this Bill confers, 1570-1596—And should be allowed to merge into the pharmaceutical body without examination and without expense, 1570-1596.

As regards the Board of Examiners, the Colleges of Physicians and Surgeons of Scotland should be represented in such Board, 1597-1602—Witness objects strongly to the penalties; the penalty might be attached to those fraudulently assuming the name of pharmaceutical chemist, but should not extend to all who sell medicine, 1602-1607—Examination might be useful, but witness sees no necessity for extending it to the whole community of chemists and druggists throughout the kingdom, 1607-1616—With regard to the responsibility attaching to the compounding of medicines and the selling of poisons, witness considers that more than half the accidents that occur, occur more from carelessness than from ignorance, 1613.

*Cormack, John Rose, M. D.* (Analysis of his Evidence.)—Graduate of the University of Edinburgh and a Fellow of the College of Physicians of Edinburgh, 2369, 2370—The examination and better education of chemists and druggists is desirable, 2371—Witness does not object to the principle of the Bill before the Committee, but is of opinion that this is not exactly the time to legislate upon the subject, and that in some of its details the Bill might be amended, 2371, 2372. 2395 *et seq.* 2415-2417—A good and well digested Pharmaceutical Bill would be very beneficial to the medical profession, 2373-2385—But witness fears that this Bill in its present state, and in the present predicament of the profession as regards medical reform, would be injurious, 2373-2375. 2385-2388—Opinion that this Bill, without certain safeguards being provided, would tend to increase the competition at present existing between the chemists and druggists and the humbler class of general practitioners, 2376-2385. 2412 *et seq.*

There is a great wish on the part of the community generally that some steps should be taken in favour of a great measure of medical reform, 2388. 2393, 2394—Objection to the enormous power which is given by this Bill, of framing bye-laws, 2389-2392—In any measure of this kind some explicit rules should be laid down with regard to counter practice and the sale of patent medicines, 2398-2403. 2406-2410—A clause preventing the chemists and druggists from selling patent medicines, and prescribing over the counter, would strip the Bill of all its objections, 2407—A distinct line should be drawn between general practitioners and the chemists and druggists, 2408-2410, 2412-2414. 2420-2422. 2428.

*Corporate Bodies.* In framing the laws of the Pharmaceutical Society, great care was taken to avoid those abuses which frequently exist in corporate bodies, *Smith* 957-959—Objection to the incorporation of a new society, which might be advantageously joined with a society already in existence, the Apothecaries' Society, *Webster* 2064—Witness sees no objection to the management of the chemists' affairs by the chemists themselves, but would certainly have preferred seeing the Apothecaries' Society taking the superintendence of pharmacy and chemistry to the creation of a new corporation, *ib.* 2097.

Witness specially objects to making the Pharmaceutical Society a club or corporation, which it will be, similar to the twenty-two corporations which now exist in this country, this making the twenty-third, *Crisp* 2289. 2300-2305. 2350-2353. 2361-2368—Not only are there twenty-two corporations, but there are twenty-seven various diplomas granted, *ib.* 2289—Objection to medical corporations in general, *ib.* 2301-2305—There is no necessity whatever for the chemists and druggists being constituted one body, *Stilwell* 2742.

See also *Monopoly.*      *Pharmaceutical Chemists.*

*Counter*



*Counter Practice.* Counter practice now prevails to a great extent among chemists and druggists, and is a great evil, and there is great difficulty in restraining it, particularly in small country towns, *Webster* 2076-2085. 2125-2131. 2145 *et seq.*—The only way of keeping a perfect distinction between medical and chemical practitioners would be to do away entirely with the abuse of counter practice, *Hall* 2220 *et seq.*—Witness regards counter practice, as it is termed, as great an evil as any form of quackery, *ib.* 2282-2287—The evils of counter practice would be greatly increased by this Bill, *Crisp* 2316-2329—In any measure of this kind some explicit rules should be laid down with regard to counter practice and the sale of patent medicines, *Cormack* 2398-2403. 2406-2410.

See also *Distinction of Professions.*

*Country Districts.* It would perhaps not be practicable to prevent some persons in small country villages from selling simple drugs, such as castor oil, rhubarb, Epsom salts, &c., *South* 264-269. 281—It is very desirable that in country towns there should be well-educated chemists; this object would be attained by some such system of examination as is proposed, *Savory* 628-631—If this Bill were passed as it now stands, it would be attended with inconvenience to the public at large, particularly as regards remote country districts, *Coombe* 1557. 1560—The provisions of the Bill would not act injuriously to the state of pharmacy in the villages and small towns in Scotland, *Mackay* 1734-1739. 1756-1759.—See also *Compulsory Clauses.* *Counter Practice.*

*Country Students.* Observations relative to the expense of country students coming up to London for the purpose of passing their examination as chemists, *Savory* 643-652. 674-681. 712-714—Some country chemists have come up for examination and passed very creditably, but there have been others woefully deficient, *Squire* 823—Opinion that there would be no hardship in compelling parties to come up to London for examination; it is the usual custom of persons who practise as chemists and druggists to come up to London for educational purposes, *Smith* 1077-1082.

*Crisp, Edwards, M.D.* (Analysis of his Evidence.)—Approves of the general principle of the Bill, that every chemist and druggist should be examined, and that no person should sell drugs without having passed an examination, 2289—But witness specially objects to making the Pharmaceutical Society a club or corporation, which it will be, similar to the twenty-two corporations which now exist in this country, this making the twenty-third, 2289. 2300-2305. 2350-2353. 2361-2368—Not only are there twenty-two corporations, but there are twenty-seven various diplomas granted, 2289—This question has a most important bearing on the medical profession, 2290—Evidence showing that there is no analogy between the chemists and druggists of the present day and the old apothecaries, as appears to be the prevailing opinion, 2290-2298.

Way in which witness considers this Bill would injure the medical profession, there being no restriction with regard to illegal practice, 2299. 2315-2329. 2351-2360. 2366, 2367—The very practice which medical practitioners ought to obtain is obtained by chemists and druggists, and this Bill will greatly increase this evil, 2299, 2300. 2305—Strong objection to the Secretary of State having the power of regulating the bye-laws of the Pharmaceutical Society, 2300. 2306-2311—Objection to medical corporations in general, 2301-2305—We ought to have a faculty of medicine, a general senate to regulate medical affairs, 2305-2311—Such senate should have the power of appointing a body to examine chemists and druggists, 2305-2311—There would be no objection to the passing of this Bill if the powers which are conferred by it were more restricted, 2311—To compel chemists and druggists to undergo an examination is most necessary, but there should be no exceptions, 2311-2313. 2335-2344.

Some legislation with respect to the sale of quack medicines is more important, 2313-2315—The evils of counter practice would be greatly increased by this Bill, 2316-2329—Witness's great objection to this Bill is that it will hinder a general measure of medical reform; still, with considerable alterations, it might perhaps be engrafted afterwards on a general measure, 2330-2332—With regard to its having the effect, in the meantime, of inducing parties to exert themselves to pass an examination, and thereby raise the qualifications of chemists and druggists, witness would say this might be done without the Bill, 2333-2335—Result of an analysis of the names of the London Medical Directory, and of the Reports of the Universities of Scotland, including the statistics of the qualifications of all the practitioners in this country whose names are in that directory, 2368.

D.

*Diplomas.* Examination to which students are subject by the Pharmaceutical Society previous to granting their diplomas, *Savory* 570-572—Witness would put the chemists upon the same footing as that of the surgeons, as to examination and obtaining his diploma, *Sir B. Brodie*, 761-763—Several instances have occurred of persons coming from abroad for the express purpose of obtaining the diploma of the Pharmaceutical Society, *Smith* 1187-1190—The law in the Mauritius is very strict with respect to the practice of pharmacy; no person is allowed to act without a diploma, *Baschet* 1197—Diplomas from England are considered equivalent to diplomas from France, *ib.* 1198-

Report, 1852—continued.

*Diplomas—continued.*

1200—Giving a diploma to those only who have been examined and are properly educated would tend to elevate the whole body of those possessing such diploma, *Hall* 2222, 2223—But such diplomas should be of the simplest kind, and should be conferred under a distinct pledge, in honour, on the part of the receiver, not to interfere with the medical office, *ib.* 2223-2225. 2282-2287.

*Dispensing Chemists.* It is as necessary for the person who compounds the prescription to be educated in pharmacy, as it is for the physician to be educated in the practice of medicine, and the surgeon in surgery, *Wilson* 6, 7—The Society of Apothecaries consider the office of dispensing prescriptions a very responsible one, and one which requires education, *Upton* 317-328—Witness is of opinion that every person who dispenses should be educated and tested by examination, the examination being conducted by the body to which he belongs, *ib.* 361-365. 368—There is no doubt the duty of dispensing prescriptions is one that requires education, *Watson* 1633—But witness fears that this new body to be constituted will grow up, like the Apothecaries' Company, into a body of medical men, *ib.* 1635. 1659-1661—Impossibility of a person keeping a druggist's shop without dispensing to a certain extent, *Renton* 1968-1970.

See also *Chemists and Druggists.*      *Compounding Drugs.*      *Examinations, 2.*

**DISTINCTION OF PROFESSIONS :**

1. *Importance of drawing the line between the Practice of Medical Men and the Business of Chemists and Druggists ; Difficulties in the way of this.*
2. *Objections to Chemists practising as Medical Men ; how far the present Bill will increase this Evil.*
3. *Necessity for some Prohibitory Clause being inserted in the Bill.*

1. *Importance of drawing the line between the Practice of Medical Men and the Business of Chemists and Druggists ; Difficulties in the way of this :*

There is no difficulty in drawing the line between that which a chemist may properly do in his capacity of chemist and that which he may do which trenches on the medical profession, the difficulty is in keeping him within it, *Upton* 343-359—It is desirable to draw as distinct a line as possible between the business of a chemist and druggist and the profession of medical practitioners, *Hall* 2217. 2261 ; *Cormack* 2408-2410. 2412-2414. 2420-2422. 2428—How far the Bill draws any further distinction between the functions of the general practitioners and those of the chemist and druggist than already exists, *Stilwell* 2811-2817 ; *Webster* 2172-2175—Difficulty of drawing the line between the practice of medical men and the business of chemists and druggists, *Webster* 2171 ; *Ancell* 2453-2461—Great difficulty in defining where the line should be drawn as to what is the regular practice of chemists ; as a general rule, witness considers their duty to be to vend drugs, to prepare chemical and pharmaceutical compounds, and dispense physicians' prescriptions, *Pereira* 2715-2731.

2. *Objections to Chemists practising as Medical Men ; how far the present Bill will increase this evil :*

A division of labour is desirable in the profession, and advantage would no doubt arise from a body being recognised by law, as representing the department of pharmacy, *South* 202-205—The College of Surgeons of Edinburgh are not at all afraid of the allegation that has been made, that this Bill will make the druggists a sort of *quasi* practitioners of medicine, *Gairdner* 1453—Although the object of the Bill is not to qualify men to give medical advice, it will not be easy to prevent this being the effect of it, *Coombe* 1560-1567—It is very desirable that there should be a separation between the practice of the medical profession and the practice of pharmacy, but witness doubts whether legislation will be able to accomplish it, *Renton* 1961-1967—Opinion that this Bill would tend much more to increase this practice than to put it down, *Webster* 2145-2170 ; *Crisp* 2299, 2300. 2305 ; *Stilwell* 2795-2810. 2816, 2817. 2827-2831. 2835-2842—It is wrong for chemists and druggists to practise medicine, *Hall* 2262 ; *Lewis* 2846.

There is no doubt that at the present time chemists and druggists do practise medicine and prescribe to a great extent, *Ancell* 2440, 2441 ; *Stilwell* 2788-2794—Still there are very considerable exceptions ; it rests wholly with the chemists and druggists, *Ancell* 2440, 2441—Witness's great objection to the Bill is, that in the present condition of the medical profession it gives power to the chemists and druggists to become a new class of medical practitioners, *Ancell* 2466-2470 ; *Lewis* 2846—Doubts as to whether improving the education of chemists and druggists would not tend to increase their acting as medical men, *Ancell* 2552-2561 ; *Stilwell* 2749-2751. 2767-2769—This practice has much increased since the establishment of the Pharmaceutical Society, *Stilwell* 2788-2794.

3. *Necessity*



## DISTINCTION OF PROFESSIONS—continued.

3. *Necessity for some Prohibitory Clause being inserted in the Bill:*

Necessity for some clause being introduced in the Bill prohibiting chemists and druggists from practising as medical men, *Wood* 2056-2062; *Ancell* 2511-2542; *O'Connor* 2578. 2585. 2605-2627. 2646-2649; *Stilwell* 2802—Opinion that were the Bill passed without a clause being introduced prohibiting chemists and druggists from practising as medical men, it will be the ruin of a tenth part of the present practitioners in medicine, *Propert* 2500-2509—Clause prepared by witness for insertion in the Bill upon this subject; how far this clause might be modified, *Ancell* 2511. 2519-2542—Witness disapproves of the latter part of the clause prepared by Mr. Ancell, prohibiting chemists and druggists from practising as medical men, *Propert* 2543-2545—They should be allowed to prescribe in petty cases, *ib.* 2544-2546.

Suggestion that a clause should be inserted in the Bill prohibiting medical men from keeping retail shops, *O'Connor* 2589-2594. 2627-2634. 2646-2649—If some clause were introduced into the Bill preventing chemists and druggists from being engaged in the practice of medicine in any way, it would do away with the necessity for any further medical legislation, *ib.* 2595. 2599. 2605—Opinion that the whole of the clause suggested by witness, in his former examination, is essential, in order to render the Bill safe with reference to the existing state of the practice of physic in this country, *Ancell* 2670—Objections to introducing the clause prepared by Mr. Ancell into the Bill, prohibiting chemists and druggists from prescribing; there would be insurmountable difficulties in carrying it out, *Pereira* 2687. 2695-2704.

See also *Competition.*      *Counter Practice.*      *Country Districts.*      *Education, I.*  
*Medical Practice.*      *Pharmaceutical Chemists.*      *Scotland.*

*Druggists.* See *Chemists and Druggists.*

*Drugs.* Means proposed for securing the good quality of the drugs sold by chemists, *Savory* 589, 590. 599—The examination by the Pharmaceutical Society would lead to the practitioners becoming better judges of the quality of drugs, *ib.* 600-602—Vast quantities of medicine of inferior quality sold for the want of knowledge of persons practising as druggists, *Herring* 829-855—Improvement in the character of the drugs used by chemists, of late years, *Herring* 839-860. 919-934; *Mackay* 1785—Opinion that the public are better supplied with drugs in this country than abroad, *Hamberg* 1265-1270—The great injury which is done to the public in the sale of drugs of inferior quality is more by fraud than by ignorance, *Wood* 2006-2019.

See also *Apothecaries' Company.*      *Compounding Drugs.*      *Education, III.*      *Inspection of Drugs.*      *Sale of Drugs.*

## E.

*Edinburgh.* Establishment of a branch of the Pharmaceutical Society at Edinburgh; only a few of the leading chemists have joined the society, *Mackay* 1677-1680. 1768-1775—In the event of the Bill passing, arrangements might be made for the students in Edinburgh to have the opportunity of obtaining an education without establishing a separate school, *ib.* 1724-1733.

See also *Board of Examiners, II. 4.*      *College of Physicians.*      *College of Surgeons*  
*(Edinburgh).*

## EDUCATION:

- I. *Great Advantages which would result from Improving the Education of Chemists and Druggists.*
- II. *Approval of the Efforts of the Pharmaceutical Society towards attaining this Object.*
- III. *Doubts as to whether this Object would be attained by the present Bill.*
- IV. *Great want of Education among the Chemists and Druggists in Scotland.*
- V. *System of Education pursued in Foreign Countries:*
  1. France.
  2. Germany.
  3. Sweden.

I. *Great Advantages which would result from Improving the Education of Chemists and Druggists:*

It is most decidedly desirable that some further steps should be taken to secure the educational competence of the chemists and druggists generally throughout the kingdom, *Wilson* 4, 5. 92; *Cormack* 2371—Witness has for a long time felt that some improvement was requisite in the education of chemists and druggists, *Savory* 478—Opinion that it is very desirable for the public benefit, and for the promotion of the education of chemists and druggists, that some such Bill as the present should be passed, *ib.* 559. 579

Report, 1852—continued.

*EDUCATION*—continued.I. *Great Advantages which would result from Improving, &c.*—continued.

—Impossibility of elevating the character of the body of chemists without introducing a superior system of education, *Sir B. Brodie* 738-742—Importance of all chemists and druggists passing an examination; all persons not so qualified should be prohibited from selling drugs or dispensing medicines, *Smith* 1006-1055.

In the absence of compulsory examination it will be impossible to obtain an entire reform of those abuses arising from incompetence, *Hofmann* 1142, 1143, 1152—An improved education in pharmacy and chemistry would tend to check the encroachments of chemists on medical men, *Mackay* 1747-1750—Improved education would afford greater security to the public than any legislative enactment, *Renton* 1949, 1957-1960—It is very desirable there should be a regular system of education introduced, *Hall* 2211, 2212, 2258-2260—Witness does not object to the curriculum of education and examination, as proposed by the Bill, *ib.* 2252-2257—Great evils existing from the gross ignorance of many persons practising as chemists and druggists, *O'Connor* 2600-2604; *Pereira* 2684-2686, 2722-2735—So far from the present Bill going too far with the education of chemists and druggists, witness does not consider that it goes far enough, *Pereira* 2724-2735.

II. *Approval of the Efforts of the Pharmaceutical Society towards attaining this Object:*

On the introduction of Mr. Hawes's Bill in 1840, and on the establishment of the Pharmaceutical Society, interviews took place between them and the College of Physicians, and it was acknowledged by the College that an examination of chemists and druggists was essential, *Wilson* 31-35—How far the College of Physicians has taken any steps to carry out these views, *ib.* 36—General and increasing desire manifested to take advantage of the means which the Pharmaceutical Society offers for education, *Savory* 575-578—The standard of education among chemists and druggists has been much improved since the establishment of the Pharmaceutical Society, *Smith* 1092, 1093—The course of education introduced by the Pharmaceutical Society would improve the character of the chemists to a great extent, *Wood* 2003, 2004—Witness highly approves of the efforts of the Pharmaceutical Society for improving the education of chemists and druggists, *Proper* 2481-2484, 2510.

III. *Doubts as to whether this Object would be attained by the present Bill:*

There can be no objection to an improvement in the education of chemists and druggists, which is the professed object of the Bill, *Gairdner* 1436—An improvement in the education of chemists and druggists is a most desirable end to be attained; witness's objections are not to the end, but to the means by which that end is sought to be attained, and which he thinks would not be attained by this Bill, *ib.* 1472-1477—Chemists and druggists at present are not sufficiently educated, *Wood* 2002—Doubts as to whether the Bill would effect the objects intended by it, as it would increase the expense of the education necessary, *ib.* 2005.

Witness does not deny that the education of chemists and druggists is desirable, but he considers that the course of education proposed by this Bill would tend to raise them too much to the rank of medical practitioners, *Webster* 2065-2085, 2125-2131, 2145 *et seq.* 2195—Witness does not know that he would object even to the course of education which is pointed out by the Bill, if it were fairly guarded by clauses preventing chemists from practising the medical profession, *ib.* 2080-2087, 2164 *et seq.* 2195—The safeguards which witness would recommend would be penalties to prevent illegal practice, *ib.* 2088, 2164 *et seq.*—Opinion that no very great amount of education is necessary, *ib.* 2091—Witness is a friend to the general education of chemists and druggists, but it ought not to include materia medica, as the term is understood conventionally, *Ancell* 2431-2439—More evil, in witness's opinion, would be done by partially educating in medicine a large body of men than is now done by the grosser ignorance of the few, *ib.* 2442.

In the curriculum of education proposed there is too much in it of a medical character, *Proper* 2489—It would be prudent to limit the education of chemists and druggists, *O'Connor* 2586-2589—It is desirable that the chemists and druggists should be educated, but not in the manner this Bill provides, *Stilwell* 2738, 2739, 2744, 2745—It would be quite sufficient, if their education extended so far as to enable them to read physicians' prescriptions, and to know the nature of the drugs which they compound, *ib.* 2740—If chemists and druggists are to be medical men they should possess the same qualifications, and undergo the same examination, as medical men, otherwise witness considers they are sufficiently educated, *ib.* 2748, 2770-2774, 2784-2788.

IV. *Great want of Education among the Chemists and Druggists in Scotland:*

There is great need of increased education among the chemists and druggists in Scotland as a body; importance of their being qualified to distinguish genuine from bad drugs, *Mackay* 1760-1764—Great deficiency of education among the body of persons in



## EDUCATION—continued.

IV. *Great want of Education among the Chemists and Druggists, &c.*—continued.

in Scotland assuming the name of chemists and druggists, *Maclagan* 1799-1808. 1824-1830—Evidence relative to the subject of improving the education of chemists and druggists having been under consideration by the Medical Corporations of Edinburgh and Glasgow in 1834; resolutions agreed to, *ib.* 1809-1821—The principle of those resolutions is almost identical with the principle of the present Bill, *ib.* 1818-1823—Hitherto there has been no law or specific kind of education recognised which chemists and druggists ought to pass through, *ib.* 1827, 1828—The institutions of Edinburgh would afford facilities for the proper education of pharmaceutical chemists, *ib.* 1894-1903.

V. *System of Education pursued in Foreign Countries:*

## 1. France:

General nature of the education of pharmaceutical chemists in France, *Savory* 465, 466—Number of schools of pharmacy in France, *Kopp* 1405, 1406—Course of instruction at the school of pharmacy; number of years it is necessary for the pupil to study his profession, *ib.* 1407, 1408—Annual expense of each of the three principal schools, viz. Paris, Montpellier, and Strasburg, *ib.* 1417-1419.

## 2. Germany:

Detail of the course of studies pursued by students of pharmacy in Germany; examination to which they are subjected, *Hofmann* 1114-1120—Average expense of a student's education, *ib.* 1121-1123—Parties by whom the examination of the students is undertaken in Germany, *ib.* 1127-1129—It is strictly prohibited to practise pharmacy in Germany without having gone through all the forms of education and examination, *ib.* 1130—The superiority of the pharmacutists of Germany is decidedly attributable to the system of education pursued; some of the first chemists have been pharmacutists, *ib.* 1137-1139.

## 3. Sweden:

The pharmaceutical chemists in Stockholm are obliged to pass through an education and examination; sketch of the education and examination through which they have to pass, *Hamberg* 1228-1235.

See also *Apothecaries' Company.*    *Apprentices.*    *Assistants.*    *Country Students.*  
*Distinction of Professions,* 2.    *Foreign Pharmacutists.*    *Germany.*    *Medical*  
*Practice.*    *Pharmaceutical Chemists.*    *Pharmaceutical Society.*    *Qualification*  
*of Chemists.*    *Scotland.*    *Sweden.*

## EXAMINATIONS:

1. *Importance of a compulsory Examination of all Persons practising as Chemists and Druggists.*
2. *Nature of the Examination recommended and suggested; way in which it might be carried out.*

1. *Importance of a compulsory Examination of all Persons practising as Chemists and Druggists:*

Pharmaceutical chemists ought to be examined by some Board before they undertake to compound prescriptions, *Wilson* 8; *Hamberg* 1271; *Propert* 2486—The same necessity exists for an examination in the case of chemists as in other branches connected with the medical profession, *South* 183. 191-196—It is very desirable that all chemists should pass an examination under the jurisdiction of a body well acquainted with pharmaceutical chemistry, *Sir B. Brodie* 721-723—Estimated number of persons who would annually require to be examined, *Smith* 1075, 1076—Apprentices ought to be obliged to pass an examination to obtain the rank of pharmaceutical chemists, *Maclagan* 1900.

Witness approves of the general principle of the Bill, that every chemist and druggist should be examined, and that no person should sell drugs without having passed an examination, *Crisp* 2289—To compel chemists and druggists to undergo an examination is most necessary, but there should be no exceptions, *ib.* 2311-2313—There is no reason why one man who sells drugs should be compelled to pass an examination, and another not, *ib.* 2335-2344—The system of examination proposed in the Bill is not in any way objectionable, *O'Connor* 2588, 2589—The examination of a chemist is not so stringent as it ought to be, especially with regard to the character and quality of drugs, *ib.* 2650, 2651—Impossibility of any voluntary society, not supported by Act of Parliament, making the examination so stringent as it ought to be; on this ground, witness approves of the general principle of the Bill, *ib.* 2652-2656—The examination of students at the College of Surgeons is of a most frivolous nature, *ib.* 2659-2661.

## EXAMINATIONS—continued.

2. *Nature of the Examination recommended and suggested; way in which it might be carried out:*

Merely examining parties before they had the right of assuming the title of pharmaceutical chemist would be of very little use, without the exclusive privilege of vending drugs and dispensing medicines were given to these parties, *South* 223-244. 255-263. 270-280. 282-285—It is under this view of the case that witness gives his approbation to the Bill, *ib.* 245-250—There is no objection on the part of the Society of Apothecaries to the chemists and druggists having an Act to enable them to regulate the practice of their own body, provided the subjects of examination are restricted to those which relate to the proper functions of the chemist and druggist, *Upton* 329-337. 395. 396. 427—Petition drawn up by witness in 1830, with a view of establishing a system of examination for all persons calling themselves chemists and druggists, *Savory* 479-483—Great opposition shown by the body of chemists to any such improvement; witness found it quite impossible to bring about any union or organization for that purpose, *ib.* 484-487.

It is the intention of the Bill that before any party can carry on the trade of a chemist in Great Britain, it will be necessary that he shall be examined by the officers of the Pharmaceutical Society, *Smith* 1399-1403—Examination might be useful, but witness sees no necessity for extending it to the whole community of chemists and druggists throughout the kingdom, *Coombe* 1607-1616—The College of Physicians has no objection to the incorporation of chemists and druggists for examination and registration, but they consider the present time is inopportune for introducing the improvement, *Renton* 1931-1941—Evidence relative to the nature of the examination to which students are subjected at the College of Surgeons in Edinburgh, *Wood* 2019-2039—Suggestion that the examination of chemists and druggists should be extended; it should include the London and Edinburgh Pharmacopœias, in the language in which they are written, and in the prescriptions of medical men, *Lewis* 2845—The examinations should be practical, so as to test the skill of the parties; they should also be public, *ib.*

*See also Apothecaries. Apprentices. Assistants. Board of Examiners. Chemists and Druggists. Country Students. Diplomas. Education, I. Faculty of Medicine. France. Pharmaceutical Chemists. Pharmaceutical Society. Qualification of Chemists. Sale of Drugs. School of Pharmacy. Scotland.*

*Exemption Clause.* Provided the clause exempting the medical bodies was more clearly worded, that the licentiates of the College of Surgeons and Faculty of Physicians of Glasgow were to be in no way affected by the Bill, it would remove one of the objections of the College of Physicians, *Renton* 1942-1946.

## F.

*Faculty of Medicine.* We ought to have a faculty of medicine, or general senate, to regulate medical affairs, *Crisp* 2305-2311—Such senate should have the power of appointing a body to examine chemists and druggists, and the bye-laws might be referred to them for confirmation or approval, *ib.*

*Fees of Students.* Evidence as to the proposed amount of fees to be taken by the Pharmaceutical Society for the education and examination of students, *Smith* 1346-1351. 1355-1364—In France, the government takes the fees, and pays the expenses of the schools, *Kopp* 1415, 1416.—*See also Sweden.*

*Foreign Pharmaceutists.* Comparing the general education of English and foreign students, the foreigners are decidedly better qualified than the English people, *Wilson* 122-125; *Savory* 603-610—The chemists of this country are far behind those of other countries in point of education; some regulations for promoting education are necessary, *Squire* 793-795; *Maclagan* 1921—Opinion that chemistry is on the advance in this country; the chemists in England, as a body, have made very few discoveries in chemistry; all the great discoveries have been made by foreigners, *Smith* 1094-1096; *Maclagan* 1919, 1920—The pharmaceutical chemists of France and Germany are far in advance of the chemists of this country, *Savory* 622-627; *Sir B. Brodie* 764; *Hofmann* 1140; *Mackay* 1786-1788.

*France.* In France no person can practise even as an assistant without undergoing a strict examination, *Savory* 467-469. 560-566—This has the effect of making apprentices attend closely to their studies, to enable them to pass, *ib.* 469—The School of Pharmacy in Paris is a public institution, supported by the government, and all French pharmaciens are required to pass an examination in this school before they are allowed to practise, *ib.* 560-566—The French pharmaciens are superior to the English, consequent upon their strict examination, *Savory* 622-627; *Sir B. Brodie* 764.

*See also Board of Examiners, III. Education, V. 1. Fees of Students. Foreign Pharmaceutists. Inspection of Drugs. Pharmaciens (France). Poisons. Secret Medicines.*



## Report, 1852—continued.

## G.

*Gairdner, John, M.D.* (Analysis of his Evidence.)—Fellow of the College of Surgeons in Edinburgh, 1432—Has considered the Pharmaceutical Bill; was chairman of a committee of the College in relation to it, 1433—The College carefully considered its provisions, and submitted it to a committee, which committee has reported to the College; general tenor of this report, 1434 *et seq.*—Individually, witness does not consider any such Bill as being strongly called for by any circumstances whatever, 1436—There can be no objection to an improvement in the education of chemists and druggists, which is the professed object of the Bill, 1436—But there is a stringency about the Bill, the effect of which will be to create a new monopolizing corporation, 1436.

Witness has no instructions, as representative of the College of Surgeons, to oppose this Bill *in toto*, if certain objections which the College have urged against it are satisfactorily met; nature of these objections, 1436—Evidence in detail on the effect of the Bill on medical licentiates, more especially upon the licentiates of the Royal College of Surgeons of Edinburgh and of the Faculty of Physicians and Surgeons of Glasgow, 1436—Way in which various clauses of the Bill would injuriously affect those parties, by preventing their uniting pharmacy with their ordinary medical practice; amendments of these clauses suggested, 1436-1442.

With respect to the second head of objections urged against the Bill by the College of Surgeons of Edinburgh, what is asserted by them is, that it would operate injuriously as regards schools and certain Scotch institutions, more especially the Royal College of Physicians and Surgeons of Edinburgh and the Faculty of Physicians and Surgeons of Glasgow, 1442—Way in which clause 12, relative to the appointment of examiners would interfere with the privileges of these bodies, 1442—Witness claims on the parts of these three bodies that if a Board for the examination of persons in relation to pharmacy shall be thought necessary to be held in Edinburgh with reference to the purposes of this Bill, they shall not be superseded in the appointment of examiners by a corporation in London, 1442-1446.

Observations on the third class of objections of the College of Surgeons of Edinburgh as regards the interests of the druggists themselves, 1446 *et seq.*—Reference to the 15th clause, which relates to penalties; objectionable nature of this clause; evidence showing that it makes the new incorporation a complete monopoly, 1446-1448—The amendment witness would propose in this clause would be that it should be applicable only to those persons who fraudulently assume the title of "licensed pharmaceutical chemist," or "member of the Pharmaceutical Society of Great Britain," 1449-1452—Opinion that the remedy for this ignorance on the part of chemists and druggists, of which so much talk is made, is in a progressive state, from the fact of the competition which exists, 1449. Evidence showing that the same amount of science, and the same knowledge of chemistry, which is essential in one place is not necessary in another, 1449. 1455—Witness considers the public are quite safe if they will trust to this system of competition, and to the penalty which the loss of capital embarked in an unsuccessful trade necessarily imposes upon those who fail, 1449. 1454. 1466-1471.

With respect to the allegation upon the face of the Bill, that pharmacy is in a disgraceful state, witness can only say that he has not found this to be the case in Edinburgh, 1453—Though witness does not mean to say that there is not a great variety of information among chemists as well as among medical men, 1453-1455—The College of Surgeons of Edinburgh are not at all afraid of the allegation that has been made, that this Bill will make the druggists a sort of *quasi* practitioners of medicine, 1453—To a certain extent they are so at present, and this can never be prevented, 1453—Opinion that no qualification to act as a chemist and druggist rendered compulsory would be desirable, 1456-1460. 1476—If any provision, in addition to what now exists against the ignorance of the druggist, is necessary, witness would suggest a stringent inspection of druggists' shops by members of the medical profession, 1461-1465.

An improvement in the education of chemists and druggists is a most desirable end to be attained; witness's objections are not to the end, but to the means by which that end is sought to be attained, and which he thinks would not be attained by this Bill, 1472-1477—If this Bill should pass, witness is strongly of opinion that the licentiates of the Scotch colleges should be entitled to the privileges of acting as chemists and druggists in any part of the United Kingdom, without paying the fees or going through a second examination, 1480-1510—The separation of the practice of medicine from pharmacy is no doubt desirable, so far as it can be practically carried out, and it is already wrought out largely in Scotland, 1511.

There should be a distinct class of pharmaceutical chemists not at all connected with the medical profession, 1512—But there is no necessity for the establishment of that class in such a manner as to keep them isolated and distinct, so that there shall be no mistake about the fact that they are not members of the pharmaceutical body, 1513-1515—In witness's opinion the medical practitioners have a most distinct interest in any system intended for the improvement of the qualifications of the druggists, and witness considers the defect of this Bill is, that it does not recognise this principle, 1516-1526—

*Gairdner, John, M.D.* (Analysis of his Evidence)—continued.

If there is to be a Board of examination, the medical man ought to be consulted with regard to the choice of examiners, 1526, 1527—Witness looks upon the Bill as a gross monopoly, 1527-1535. 1537-1552.

*General Practitioners.* Since the Act of 1815 the character of the general practitioners has very much improved throughout the country, *Upton* 402-404—As the Bill stood last year, there was a very grave objection to it, on the ground that an incorporated body like the pharmaceutical chemists would very much interfere both with the profits and the business of the general practitioners, *ib.* 405—It was proposed to exclude both apothecaries and medical practitioners from acting as chemists and druggists without the license of that body, *ib.* 405. 431-433—In thickly populated districts it would be an advantage, after a certain term of years, to interdict legally-qualified practitioners from carrying on business as chemists and druggists, *Webster* 2190-2194—The Bill in its present form will be injurious to the general practitioners of medicine, who compose the great bulk of the profession, *Crisp* 2351-2360. 2366, 2367; *Stilwell* 2749 *et seq.*—A college for general practitioners is an institution that has no parallel in any country, *O'Connor* 2645.

See also *Apothecaries' Company.*      *Distinction of Professions.*

*Germany.* In Germany a regular education is necessary for pharmaceutical chemists, *Squire* 791; *Hofmann* 1114-1120—Witness is well acquainted with the laws relating to pharmacy in Germany; pharmaceutical chemists are there called apothecaries, *Hofmann* 1112, 1113—Nominal fees payable in the German universities; these institutions are not self-supporting; the government assist in paying the expense of them, *ib.* 1124-1126—The medical and pharmaceutical branches of the profession are very strictly separated in Germany, *ib.* 1131-1136—The science of pharmacy in Germany is far superior to what it is in England, *ib.* 1151, 1152—Nature of the duties of the Government medical men in Germany; they perform the duties that in this country are performed by the coroner, *ib.* 1153-1157.

See also *Education, V. 2.*      *Foreign Pharmacutists.*      *Inspection of Drugs.*  
*Poisons.*

*Giles, Richard William.* (Analysis of his Evidence.)—Was a student at the school of the Pharmaceutical Society; passed the major examination, and has joined his father in business at Clifton, 1293-1295—Assisted in forming an auxiliary pharmaceutical institution at Bristol and Clifton; object and progress of the institution, 1296-1306—Opinion that if a compulsory examination were introduced, the apprentices would be induced to learn and exert themselves to a greater extent, 1303, 1304—The medical profession and chemists in the neighbourhood of Bristol and Clifton are very warm in their approval of the Pharmacy Bill, 1308-1314—The chemists in witness's neighbourhood do, to a certain extent, prescribe; the best mode of checking this would be to improve the intelligence and education of chemists in their own department, 1315-1323. 1331-1334—Great disappointment which has arisen from the Pharmaceutical Society not having long ere this obtained an Act of Parliament, 1324-1330.

*Glasgow.* The Faculty of Physicians of Glasgow, of which witness is president, is different from those in Edinburgh in this respect, that they have the power, and have exercised that power, of examining pharmacians by themselves, *Watson* 1620, 1621—This power to examine chemists and druggists has fallen into disuse, *ib.* 1638-1645.

See also *Board of Examiners, II. 4.*

## H.

*Hall, Marshall, M.D.* (Analysis of his Evidence.)—Has been in practice as a physician for forty years, 2208—Has, during that period, had an opportunity of observing the condition of the chemists in reference to their proficiency in the practice of pharmacy, 2209—There are some very scientific chemists who are fully qualified to prosecute their profession, but many others are not so qualified, 2210—It is very desirable that there should be a regular system of education introduced, 2211, 2212—Has seen the Pharmacy Bill, and is of opinion that its general object is excellent, 2213-2215—It is certainly desirable that there should be a distinction between the several classes in the profession, viz. physicians, surgeons, and pharmaceutists, 2217.

The same privilege which is granted to the physicians and surgeons of managing their affairs, is undoubtedly due also to the chemists and druggists, 2218—The only way of keeping a perfect distinction between medical and chemical practitioners would be to do away entirely with the abuse of counter practice, 2220 *et seq.*—Giving a diploma to those only who have been examined and are properly educated would tend to elevate the whole body of those possessing such diploma, 2222, 2223—But such diplomas should be of the simplest kind, and should be conferred under a distinct pledge, in honour, on the part of the receiver, not to interfere with the medical office, 2223-2225-2282-2287.



*Hall, Marshall, M.D. (Analysis of his Evidence.)—continued.*

The office of chemist and druggist should be entirely confined to the compounding and selling of drugs, and in no case whatever should he prescribe, 2226-2251—Witness does not object to the curriculum of education and examination, as proposed by the Bill, 2252-2257—It would certainly be advantageous to the public to provide for the better education of chemists and druggists in that branch of business to which they belong, 2258-2260—It is desirable to draw as distinct a line as possible between the business of a chemist and druggist and the profession of medical practitioners, 2261—It is wrong for chemists and druggists to practise medicine, 2262—It is also wrong for medical practitioners to act as chemists and druggists, but there are some localities in the country where this cannot well be avoided, 2263-2267. 2269, 2270—There is not the least objection to using the term “pharmaceutical,” 2268—There would be no objection to the Board of Examiners being composed entirely of pharmaceutical chemists, 2272-2281—Witness regard counter practice, as it is termed, as great an evil as any form of quackery, 2282-2287.

*Hamberg, Dr. (Analysis of his Evidence.)—Assistant Professor of Pharmacy to the Royal Caroline Institution and to the Pharmaceutical Institution in Stockholm, 1226-1227—The pharmaceutical chemists in that country are obliged to pass through an education and examination; sketch of the education and examination through which they have to pass, 1228-1235—The institutions in Stockholm are under the government, which pays a portion of the expenses; the fees paid by students are very small, 1236-1238—In Stockholm physicians are not allowed to sell medicines, nor apothecaries to prescribe, 1239-1244. 1278-1282—Existence of barber surgeons in Sweden; nature of their practices; they have to pass an examination, 1244-1248—The number of chemists’ and druggists’ shops in Sweden are limited; no person can open a shop without the permission of the government, which is very difficult to obtain, 1249-1264.*

Witness approves of the number of pharmaceutists being limited, 1259-1264—Difference between the pharmacopœia used at Stockholm and the English pharmacopœia, 1265—Opinion that the public are better supplied with drugs in this country than abroad, 1265-1270—Importance of a compulsory examination of all persons practising as chemists and druggists, 1271—Strict regulation in Sweden for protecting the public against accidents from poison, 1272—Nature of the inspection of drugs in Sweden, 1272-1276—Secret medicines are not allowed in Sweden, 1277—Pharmaceutical chemists in Sweden are called apothecaries, 1279-1289. 1292—There is only one class of medical men in Sweden, physicians; surgeons must be physicians, and take their degree at the universities before they are allowed to practise, 1283-1285—In Sweden, as in Germany, the widow of a chemist may succeed to the establishment of a chemist, but she must employ a person regularly educated and examined, 1286-1288.

*Herring, Thomas. (Analysis of his Evidence.)—Wholesale druggist in Aldersgate-street; has been in business above forty-three years, 824, 825—Witness is in constant communication with chemists and druggists throughout the whole kingdom, 826-828—Opinion that the body of chemists and druggists are not properly qualified for their business, 829—Vast quantity of medicines of inferior quality sold, from the want of knowledge of persons practising as druggists, 829-855—Large number of persons who assume the name of pharmaceutical chemists who have never been educated or qualified, and who do not know their business, 830-832—The great demand for inferior drugs arises from the fact of the want of education among persons calling themselves chemists and druggists, 839-855—If chemists and druggists were properly educated, the demand for inferior drugs would cease; this has proved to be the case since the establishment of the Pharmaceutical Society, 856-860. 919-934.*

If a Bill of the description now before The House were passed, it would tend very much to the improvement of the trade and the advantage of the public, 861—Opinion that it is desirable to prohibit the sale of drugs by persons not druggists; this applies only to chemists and druggists, not to wholesale druggists, 862. 873-918—Great advantage would result from the inspection of all drugs by an officer attached to the Custom-house, and the seizure of all bad drugs, 862-872. 916-924—This is the system pursued in America; improvement which has taken place in the quality of the drugs imported, 862-865. 923—The power of inspection of drugs by the Apothecaries’ Company is inoperative, but might be improved, 929-931.

*Hofmann, Dr. (Analysis of his Evidence.)—Professor of Chemistry in the Royal College of Chemistry, 1110—Studied in the laboratory of Liebig, 1111—Course of studies pursued by students of pharmacy in Germany; examination to which they are subjected, 1114-1120—Average expense of a student’s education in Germany, 1121-1123—Nominal fees payable in the German universities; these institutions are not self-supporting; the government assists in paying the expense of them, 1124-1126—Parties by whom the examination of the students is undertaken in Germany, 1127-1129—It is strictly prohibited to practise pharmacy without having gone through all the forms of education and examination, 1130—The medical and pharmaceutical branches of the profession are very strictly separated in Germany, 1131-1136—The superiority of the*

*Hofmann, Dr.* (Analysis of his Evidence)—continued.

pharmaceutists of Germany is decidedly attributable to the system of education pursued; some of the first chemists have been pharmaceutists, 1137-1139.

France and Germany furnish a number of scientific men to other countries for purposes where science is necessary, 1140—The laws existing in this country respecting pharmacy are not in a proper state with reference to the safety of the public, 1141—In the absence of compulsory examination it will be impossible to obtain an entire reform of those abuses, arising from incompetence, 1142, 1143, 1152—Opinion that there are not so many pharmaceutical students in the College of Chemistry as there would be if they were obliged to study their profession; number of pupils in the German universities, 1144-1146—The science of pharmacy in Germany is far superior to what it is in England, 1151, 1152.

Nature of the duties of the Government medical men in Germany; they perform the duties that in this country are performed by the coroner, 1153-1157—The laws of Germany with respect to the sale of poisons are very strict; no one can sell poisons except an apothecary, 1158, 1159, 1169, 1170—Inspection of the apothecaries' shops in Germany, with a view of ascertaining the quality of the drugs used, 1160—The sale of secret medicines is not permitted in Germany, 1161, 1162—The sale of drugs and medicines in Germany is entirely confined to pharmaciens; medical men never sell their own medicines, 1163-1168, 1171-1186.

*Home Secretary.* Objections to the Secretary of State having the power of regulating the bye-laws of the Pharmaceutical Society, *Wilson* 72-74; *Crisp* 2300, 2306-2311—Recommendation, that in the event of the Pharmaceutical Society being entrusted with a legislative power, they should be placed under the supervision of the Secretary of State, in the same manner as the College of Surgeons, *Sir B. Brodie* 775-781.

## I.

*Illegal Practice.* Way in which witness considers the Bill would injure the medical profession, there being no restriction with regard to illegal practice, *Crisp* 2299, 2315-2329.

See also *Distinction of Professions.* *Education*, III.

*Inspection of Drugs.* Even should the powers sought for be given to the Pharmaceutical Society, a frequent inspection of the drugs would still be necessary; evidence relative to the nature of the inspection to which the drugs are at present subjected, *Wilson* 56-62, 78 *et seq.* 129-147—The power of inspecting drugs by the Apothecaries' Company is inoperative, but might be improved, *Upton* 379-388; *Herring* 929-931—Difficulty in introducing regulations for the inspection of drugs in the Bill at present before The House, *Savory* 706-708—Present inspection of drugs; frequency of prescriptions suffering from the bad quality of the drugs, *Sir B. Brodie* 754-758—Great advantage would result from the inspection of all drugs by an officer attached to the Custom House, and the seizure of all bad drugs, *Herring* 862-872, 916-924.

If any provision in addition to what now exists against the ignorance of the druggist is necessary, witness would suggest a stringent inspection of druggists' shops by members of the medical profession, *Gairdner* 1461-1465—At present the power of examining drugs in the shops of chemists and druggists is in the hands of the College of Physicians; it is scarcely exercised at all, *O'Connor* 2662, 2663—It is very desirable that there should be a strict and periodical inspection of all shops selling drugs, *O'Connor* 2664-2669, *Lewis* 2845, 2846—This inspection might be entrusted to a body of censors appointed by the College of Pharmacy, *O'Connor* 2665.

Inspection of the apothecaries' shops in Germany with a view of ascertaining the quality of the drugs used, *Hofmann* 1160—Rule applying to the inspection of the shops in France, and the establishments of persons who sell drugs, *Kopp* 1409, 1410—The periods at which the shops are visited are variable, but it is usually once a year, *ib.* 1411, 1412.

*Ireland.* Steps which have been taken in Ireland with a view to the improvement of the laws regulating chemists and druggists, *O'Connor* 2579, 2588.

## K.

*Kopp, Professor.* (Analysis of his Evidence.)—Has been Professor in the School of Pharmacy at Strasburg, 1404—Number of schools of pharmacy in France, 1405, 1406—Course of instruction at the school of pharmacy; number of years it is necessary for the pupil to study his profession, 1407, 1408—The Boards of Examiners are composed of four professors of the school of pharmacy, and two professors of the school of medicine, 1409—The same rule applies to the inspection of the shops and the establishments of the persons who sell drugs, 1409, 1410—The periods at which the shops are visited are variable, but it is usually once year, 1411, 1412.

There



## Report, 1852—continued.

*Kopp, Professor.* (Analysis of his Evidence)—continued.

There are two classes of pharmaciens, but the difference is not great, 1413—Difference in the expenses of the two classes, 1414—The government takes the fees and pays the expenses of the schools, 1415, 1416—Annual expense of each of the three principal schools, viz., Paris, Montpellier, and Strasburg, 1417-1419—Secret remedies must not be sold by the pharmaciens unless they are remedies authorised by the Institute or the Academy of Medicine, 1420—Regulations in France respecting the sale of poisons, 1421-1423—A physician can act as a pharmacien, if he resides in a district where there is no pharmaceutical establishment, but not otherwise, 1424-1426, 1428, 1429—There is no limit to the number of pharmaciens in a town, 1430.

## L.

*Lectures.* Establishment of a modern school of pharmacy by the Pharmaceutical Society; also lectures and a laboratory; course of studies adopted, *Smith*, 974-976—Statement of the number of pupils who have attended the laboratory; also receipts and expenditure for seven sessions, 1844-45 to 1850-51, *ib.* 977, 978—Statement of the number of pupils who attended the lectures from 1842 to 1851 inclusive, *ib.* 979—Manner in which the apparent diminution is to be accounted for, *ib.* 980-983.

*Legislative Interference.* It is the duty of the Legislature in cases affecting life and health, to have a supervision over matters of this description, *South*, 207—Witness does not object to the education of chemists and druggists, but his opinion is, that if it is desirable that the Legislature should interfere at all, it should interfere efficiently, and the education should be compulsory, *Upton*, 431-438, 452-456—In the establishment of a new system by Act of Parliament, it is usual to grant some indulgence to those already in business; the Act cannot be made retrospective, *Sir B. Brodie* 727—As a body the chemists of this country are not sufficiently educated; necessity for some legislation with a view to remedy this defect, *ib.* 759, 760—There is no necessity for a legislative enactment for preventing unlicensed persons from selling drugs, merely preventing than styling themselves pharmaceutical chemist or druggist would be sufficient, *Renton* 1948-1957.

*Lewis, Theophilus Caractacus, M.D.* (Analysis of his Evidence)—Objection to the registering clause of the Bill; if the Bill were to pass in its present form, there would be nothing to prevent a chemist and druggist registered under the Bill from taking a medical degree, 2843, 2844—By a slight addition to this clause witness's objection would be removed, 2844—The examination of chemists and druggists should be extended; it should include the London and Edinburgh Pharmacopœias in the language in which they are written, and in the prescriptions of medical men, 2845—The Court of Examiners should consist of persons belonging to the medical profession, 2845—The examinations should be practical, so as to test the skill of the parties; they should also be public, 2845.

The drugs and chemicals sold should be rigidly inspected by persons appointed by the examiners, 2845, 2846—Dispensing chemists should not be permitted to practise medicine or surgery in any way, 2846—Objection to the term pharmaceutical, as it includes more than mere pharmacy, 2846-2850—It would be advantageous if it were made compulsory that prescriptions should be written in English, instead of Latin, 2851-2853—Chemists and druggists should be compelled to dispense the prescriptions of legally qualified medical men, at all times, excepting to children under ten years of age, 2854, 2855.

*Licentiates (Scotch Colleges).* If this Bill should pass, witness is strongly of opinion that the licentiates of the Scotch colleges should be entitled to the privileges of acting as chemists and druggists in any part of the United Kingdom, without paying the fees, or going through a second examination, *Gairdner*, 1480-1510; *Coombe*, 1568, 1569—As the present Bill if passed into an Act may possibly interfere with these rights, witness would desire that they should possess every right which this Bill confers, *Coombe*, 1570-1596—And should be allowed to merge into the pharmaceutical body without examination, and without expense, *ib.*—As witness reads the Bill before the Committee, it certainly takes away the privileges of the licentiates of the Scotch bodies; but a great deal of witness's objection to the Bill would be done away with if their privileges were not interfered with, *Watson*, 1622-1632—What witness would desire would be that their existing privileges should be decidedly and distinctly recognised, and that there should be no new exclusive privileges granted from which the Scotch licentiates should be excluded, *ib.* 1622-1632, 1634, 1667.

See also *College of Surgeons (Edinburgh)*.

*Liverpool.* See *Auxiliary Associations*.

## M.

*Mackay, John.* (Analysis of his Evidence).—Chemist and druggist at Edinburgh; has been a member of the Pharmaceutical Society from its commencement, 1675, 1676—Establishment of a branch of the society at Edinburgh, 1677-1680. 1768-1775—The chemists of Scotland have no objection to the Bill at present before the House; their objection to the former Bill was the exclusion of Scotland from its operation, 1681-1685. 1776, 1777—There would be no objection to the examining Board sitting occasionally at Glasgow and Aberdeen, so as to prevent the inconvenience of parties coming from those various towns to Edinburgh for examination, 1686, 1687—Necessity for improving the education of chemists and druggists in Scotland, 1688. 1751. 1760-1764.

Objections to the proposition for placing the chemists and druggists under a Board of Examiners appointed by the medical colleges, 1689-1700—The Colleges of Surgeons and Physicians have systems of self-government; the chemists should enjoy the same privilege, 1701-1707—Great difficulty in obtaining competent assistants in Scotland, 1707—The state of education among assistants abroad is far in advance of the same parties in this country, 1708, 1709—There are some men acting as chemists and druggists in Scotland who hold diplomas from the Colleges of Physicians and Surgeons; it is not the intention of the Bill to interfere with this privilege, 1710-1713—Circumstances attending the opposition of the chemists of Scotland to the Pharmaceutical Society at the time of its formation, 1714-1718—Meetings held, and steps taken for the formation of a Scotch branch of the Pharmaceutical Society in consequence of the draft Bill excluding Scotland from its operation, 1719-1721.

The prospect of this Bill passing has caused apprentices to be more attentive to the study of their profession than they otherwise would have been, 1722, 1723—In the event of the Bill passing, arrangements might be made for the students in Edinburgh to have the opportunity of obtaining an education without establishing a separate school, 1724-1733—The Bill would greatly tend to remove the difficulty of obtaining qualified assistants, 1733—The provisions of the Bill would not act injuriously to the state of pharmacy in the villages and small towns of Scotland, 1734-1739. 1756-1759—There is every disposition in Scotland to separate pharmacy from the practice of medicine; it is only in cases of necessity that respectable chemists prescribe, 1740-1746. 1765. An improved education in pharmacy and chemistry would tend to check the encroachments of chemists on medical men, 1747-1750.

Witness does not consider that this Bill creates a monopoly which would be at all injurious to the profession or to the public, 1754-1759—Existence of an association of pharmaceutical chemists at Aberdeen; increased attention paid to education, 1766, 1767—Advantages likely to arise from the union of the chemists, &c. of England and Scotland, by the passing of this Bill, 1776-1784—Improvement in the character of the drugs used by chemists of late years, 1785—The pharmaceutical chemists of France and Germany are far in advance of the chemists of this country, 1786-1788—This is entirely owing to the defective education, and want of compulsory examination, 1788—Difference between foreign pharmacopœias and that of this country, 1789-1791.

*MacLagan, Douglas, M.D., F.R.S.E.* (Analysis of his Evidence).—Lecturer on Materia Medica in the Extra Academical School of Edinburgh; medical practitioner in Edinburgh, 1792-1797—Great deficiency of education among the chemists and druggists in Scotland, 1799-1808. 1824-1830—Evidence relative to the subject of improving the education of chemists and druggists having been under consideration by the medical corporations of Edinburgh and Glasgow in 1834; resolutions agreed to, 1809-1821—The principle of those resolutions is almost identical with the principle of the present Bill, 1818-1823.—Hitherto there has been no law or specific kind of education recognised which chemists and druggists ought to pass through, 1827, 1828—Great public advantage likely to result from the passing of the present Bill, 1831—Witness cannot see that it would establish a monopoly, or be at all injurious to the privileges of the College of Surgeons, 1832-1834.

Discussion which took place in the College of Surgeons on the subject of the Bill; majority of members present opposed to the Bill, 1835-1839—Opinion that however the Board of Examiners are appointed, there should be nothing to mix up the pharmaceutical chemists as a corporation with the medical corporations, 1840-1843. 1861—To a certain extent some confusion and inconvenience arises from the mixture of the two functions of doctor and chemist now in practice, 1844-1847—The present Bill would in no way interfere with the licentiates of the College of Surgeons carrying on business as chemists and druggists, 1848-1858. 1904-1909—There is no objection to licentiates acting in that capacity, 1859—Witness has no objection to members of the medical bodies being upon the Board of Examiners; but there is no reason why the body of pharmaceutical chemists should not have the selection of their own Board of Examiners, 1860-1862.



## Report, 1852—continued.

*Maclagan, Douglas, M.D., F.R.S.E.* (Analysis of his Evidence)—continued.

The effect of the Bill would be to prohibit persons calling themselves pharmaceutical chemists who had not undergone an examination, but it would not prevent their selling drugs, 1863-1878—Witness would object to persons being prohibited from selling drugs unless they had passed an examination, or were licentiates of the College of Surgeons, as it would create a monopoly, 1878.—The nature of the prohibition of the Apothecaries' Act of 1815 was to create a monopoly, and led to endless heartburnings, 1879-1881—Various obstructions have been thrown in the way of Scotch practitioners by the Apothecaries' Society, 1882—The different Boards of Examiners should be as nearly as possible assimilated in practice and in the qualification required, 1883-1893.

Witness approves of some of the members of the Board of Examiners of the Pharmaceutical Society being also members of the Apothecaries' Board, for the purpose of insuring uniformity, 1884, 1885—The institutions of Edinburgh would afford facilities for the proper education of Pharmaceutical chemists, 1894-1903—Apprentices ought to be obliged to pass an examination to obtain the rank of pharmaceutical chemists, 1900—All chemists ought to be fully competent to examine and test the drugs they sell, 1910-1918—Great lack of progress of pharmacy in this country; all great discoveries have been made by continental pharmacutists, 1919, 1920.

*Magistrates.* See *Board of Examiners*, II. 3.

*Materia Medica.* Distinction between the lectures on materia medica delivered at the Pharmaceutical Society and those delivered at the London Hospital, *Pereira* 2675-2683.

*Medical Directory.* Result of an analysis of the names of the London Medical Directory, and of the Report of the Universities of Scotland, including the statistics of the qualifications of all the practitioners in this country whose names are in that directory, *Crisp* 2368.

*Medical Practice.* A great jealousy is felt by the apothecaries against the chemists and druggists not confining themselves to their proper duties, but attending the sick, which by law they are not authorised to do, nor are they by education competent, *Upton* 338. 367, 393—Witness is of opinion that the education of pharmaceutical chemists in chemistry, materia medica, and pharmacy is calculated to increase their propensity for acting as medical practitioners, *ib.* 339-342. 389-394. 397-405. 428-430—Witness does not believe that it is the custom or the wish of chemists and druggists to practise as medical men, *Savory* 699-704—The education of chemists and druggists in chemistry and pharmacy would not tend to their encroaching upon the medical profession, *Sir B. Brodie* 743-746.

The practice of medicine is quite separate from the practice of pharmacy in the Mauritius; medical men are prohibited from selling drugs or dispensing their own medicines, and pharmaceutical chemists are prohibited from prescribing, *Baschet* 1201-1211. 1217-1221—The chemists in the neighbourhood of Bristol and Clifton do, to a certain extent, prescribe; the best mode of checking this would be to improve the intelligence and education of chemists in their own department, *Giles* 1315-1323. 1331-1334.—It is wrong for medical practitioners to act as chemists and druggists; but there are some localities in the country where this cannot well be avoided, *Watson* 1636, 1637. 1662, 1663; *Hall* 2263-2267. 2269, 2270—There is every disposition in Scotland to separate pharmacy from the practice of medicine; it is only in cases of necessity that respectable chemists prescribe, *Mackay* 1740-1746. 1765—To a certain extent some confusion and inconvenience arise from the mixture of the two functions of doctor and chemist now in practice, *Maclagan* 1844-1847.

See also *Board of Examiners*, II. 2. *Chemists and Druggists.* *Distinction of Professions.* *Pharmaceutical Chemists.* *Retail Shops.* *Scotland.*

*Medical Profession.* The medical profession and chemists in the neighbourhood of Bristol and Clifton are very warm in their approval of the Pharmacy Bill, *Giles* 1308-1314—

#### MEDICAL REFORM:

1. *Generally.*
2. *How far the Pharmacy Bill will be likely to retard any general measure of Medical Reform.*

##### 1. *Generally:*

It would be better to have a general measure of medical reform than to take up isolated matters such as this Bill proposes, *Upton* 406-409.—There is a great wish on the part of the community generally that some steps should be taken in favour of a great measure of medical reform, *Cormack* 2388. 2393, 2394—Witness would prefer this Bill being put aside until a general measure of reform was brought forward, *Propert* 2563—From the present state of parties in the medical profession, there is no immediate prospect of a general measure of medical reform being carried, *O'Connor* 2596-2598;

Report, 1852—continued.

*MEDICAL REFORM*—continued.

1. *Generally*—continued.

*Pereira* 2705—Opinion that a majority of the medical profession would be very glad to see the College of Surgeons reformed, *O'Connor* 2635-2644—A general Bill for medical reform ought not, with regard to corporate institutions, to have anything more than a College of Physicians, College of Surgeons, and a College of Pharmacy, *ib.* 2645—Those three bodies should, at stated times, publish a pharmacopœia, which should be incorporated under their authority throughout the kingdom, *ib.*

2. *How far the Pharmacy Bill will be likely to retard any general measure of Medical Reform:*

Witness's great objection to the Bill is, that he considers it will be an obstruction to the General Medical Reform Bill, *Watson* 1667—Witness's great objection to this Bill is, that it will hinder a general measure of medical reform; still, with considerable alterations, it might perhaps be engrafted afterwards in a general measure, *Crisp* 2330-2332—Witness fears that this Bill, in its present state, and in the present predicament of the profession as regards medical reform, would be injurious, *Cormack* 2373-2375, 2385-2388—Nothing is so essentially necessary at present as the better education of chemists and druggists, *O'Connor* 2578, 2605—This Bill will in a great measure effect that object, but the passing of the Bill may retard the progress of a better system of medical legislation, *ib.* 2578—So far from the present Bill being likely to impede or obstruct any measure of reform, it will tend greatly to facilitate it, *Pereira* 2706-2708.

*Monopoly.* It is very desirable that those parties passing an examination should have the exclusive privilege of dispensing and compounding medicines, *Savory* 579-588—There is a stringency about the Bill, the effect of which will be to create a new monopolizing corporation, *Gairdner* 1436—Witness looks upon the Bill as a gross monopoly, *ib.* 1527-1535, 1537-1552—Witness objects to the monopolizing character of the Bill, in so far as it tends to advance chemistry and pharmacy, *Coombe* 1557—Witness does not consider that this Bill creates a monopoly which would be at all injurious to the profession or to the public, *Mackay* 1754-1759.

A monopoly would be created were parties prevented from opening shops and dispensing drugs who are not licensed druggists under the Bill, *Maclagan* 1878; *Renton* 1947; *Stilwell* 2823-2826—The nature of the prohibition of the Apothecaries' Act of 1815 was to create a monopoly, and led to endless heartburnings, *Maclagan* 1879-1881—The principal objection of the College of Physicians to the Bill is, that it goes to suppress a useful class of druggists in the small villages of Scotland, and creates a monopoly, *Renton* 1983—If the Bill is not to interfere with this class of dealers further than to prevent their assuming the title of pharmaceutical chemist, this objection is removed, *ib.* 1983-1992.—See also *Penal Clauses*.

O.

*O'Connor, William.* (Analysis of his Evidence.)—Licentiate of Apothecaries' Hall; is in practice as a general practitioner, 2575, 2576—Nothing is so essentially necessary at present as the better education of chemists and druggists, 2578, 2605—This Bill will in a great measure effect that object, but the passing of the Bill may retard the progress of a better system of medical legislation, 2578—Necessity for some clause being introduced in the Bill prohibiting chemists and druggists from practising as medical men, 2578-2585, 2605-2627, 2646-2649—Steps which have been taken in Ireland with a view to the improvement of the laws regulating chemists and druggists, 2579, 2588—It would be prudent to limit the education of chemists and druggists, 2586-2589—The system of examination proposed in the Bill is not in any way objectionable, 2588, 2589.

A clause should be inserted in the Bill prohibiting medical men from keeping retail shops, 2589-2594, 2627-2634, 2646-2649—If some clause was introduced into the Bill, preventing chemists and druggists from being engaged in the practice of medicine in any way, it would do away with the necessity for any further medical legislation, 2595-2599, 2605—From the state of parties in the profession, witness does not see the slightest prospect of their agreeing to any measure of medical reform, 2596-2598—Great evils existing from the gross ignorance of many persons practising as chemists and druggists, 2600-2604—The majority of the medical profession would be very glad to see the College of Surgeons reformed, 2635-2644—A general Bill for medical reform ought not, with regard to corporate institutions, to have anything more than a College of Physicians, College of Surgeons, and a College of Pharmacy, 2645—Those three bodies should at stated times publish a pharmacopœia, which should be incorporated under their authority throughout the kingdom, 2645—A college for general practitioners is an institution that has no parallel in any country, 2645.

The examination of a chemist is not so stringent as it ought to be, 2650, 2651—Impossibility of any voluntary society, not supported by Act of Parliament, making the examination



*O'Connor, William.* (Analysis of his Evidence)—continued,

examination so stringent as it ought to be, 2652-2656—Objections to the College of Physicians and Surgeons being the examiners of pharmaceutical chemists, 2657-2661—The examination of students at the College of Surgeons is of a most frivolous nature, 2659-2661—At present the power of examining drugs in the shops of chemists and druggists is in the hands of the College of Physicians; it is scarcely exercised at all, 2662, 2663—It is very desirable that there should be a strict and periodical inspection of all shops selling drugs, 2664-2667—This inspection might be entrusted to a body of censors appointed by the College of Pharmacy, 2665—Manner in which the expense of such an inspection might be defrayed, 2668, 2669.

#### P.

*Patent Medicines.* Witness would like to see patent medicines done away with altogether, *Savory* 683-687. 705—An improvement in the education of pharmaceutical chemists will tend to decrease the sale of patent medicines, *ib.* 709—A clause preventing the chemists and druggists from selling patent medicines and prescribing over the counter would strip the Bill of all its objections, *Cormack*, 2407.

See also *Counter Practice.*      *Secret Medicines.*

*Penal Clauses.* Reference to the 15th clause, which relates to penalties; objectionable nature of this clause; evidence showing that it makes the new incorporation a complete monopoly, *Gairdner*, 1446-1448—The amendment witness would propose in this clause would be that it should be applicable only to those persons who fraudulently assume the title of "licensed pharmaceutical chemist," or "member of the Pharmaceutical Society of Great Britain," *ib.* 1449-1452—To a certain extent they are so at present, and this can never be prevented, *ib.* 1453—Objection to the compulsory clauses of the Bill, particularly as regards the penalties, *Coombe* 1602-1607; *Watson* 1646. 1654, 1655—Speaking generally, witness is in favour of a better education and qualification of chemists and druggists, but he considers this Bill too stringent as regards fines and penalties; and the Bill is but too likely to create a monopoly, *Watson* 1663-1673—The College of Physicians in Edinburgh have no objection to the Bill proceeding, provided certain objectionable clauses are taken out of it, namely the penal clauses, *Renton* 1940. 1948.

*Pereira, Jonathan, M.D.* (Analysis of his Evidence.)—One of the physicians of the London Hospital; was for several years the professor of materia medica at that hospital, 2671, 2672—Has for nine years lectured on materia medica for the Pharmaceutical Society, 2673, 2674—Distinction between the lectures on materia medica delivered at the Pharmaceutical Society and those delivered at the London Hospital, 2675-2683—Impossibility of any school for chemists and druggists becoming self-supporting in the absence of any law obliging them to undergo an examination, 2684-2686—Increasing the education of chemists as proposed by the Bill, would tend to prevent their practising as medical men, 2687-2694. 2704—Objections to introducing the clause prepared by Mr Ancell into the Bill, prohibiting chemists and druggists from prescribing; there would be insurmountable difficulties in carrying it out, 2695-2703.

So far from the present Bill being likely to impede or obstruct any measure of reform, it will tend greatly to facilitate it, 2706-2708—Objection to medical men being allowed to register themselves as pharmaceutical chemists, 2708-2714—Great difficulty in defining where the line should be drawn as to what is the regular practice of chemists, 2715-2721—The existing state of things is a great evil; improving the education of chemists and druggists will be a great advantage, 2722-2735—So far from the present Bill going too far with the education of chemists and druggists, witness does not consider that it goes far enough, 2724-2735.

*Pharmaceutical Chemists.* The state of the law in reference to pharmaceutical chemists is not at the present time satisfactory, seeing that any person can assume the title, *South* 206—Witness conceives that this Bill will only affect those persons who aspire to the title of pharmaceutical chemist, *Upton* 416-421—Large number of persons who assume the name of pharmaceutical chemists who have never been educated or qualified, and who do not know their business, *Savory* 593-598; *Herring* 830-832—This Bill would remedy that defect, *Savory* 593-598—Witness approves of the number of pharmaceuticals being limited, *Hamberg* 1259-1264—There should be a distinct class of pharmaceutical chemists, not at all connected with the medical profession, *Gairdner* 1512-1515.

Giving those who come forward to be examined the privilege of styling themselves pharmaceutical chemists would induce them to come forward to be examined, *Watson* 1665, 1666—Opinion that however the Board of Examiners are appointed, there should be nothing to mix up the pharmaceutical chemists as a corporation with the medical corporations; they should be kept as distinct as possible, under separate jurisdictions, *MacLagan* 1840-1843. 1861. 1863-1878—There is not the least objection to using the term, "pharmaceutical chemist," *Hall* 2268—It would be a great improvement in the Bill if it were stated what are the strict duties of a pharmaceutical chemist; attempts

*Pharmaceutical Chemists*—continued.

have been made to do this, but they have always failed, *Ancell* 2462-2465. 2467-2473 —Objection to the term pharmaceutical, as it includes more than mere pharmacy, *Proper* 2490-2499; *Lewis* 2846-2850.

See also *Apothecaries' Company. Board of Examiners, II. 1. Examinations. General Practitioners. Medical Practice. Monopoly. Patent Medicines. Qualification of Chemists. Status of Chemists.*

**PHARMACEUTICAL SOCIETY:**

1. *Formation and Object of the Society; Advantages which have resulted from its formation.*
2. *Number of Members; Receipts, Expenditure, &c.*
3. *Approval by the Society of the Bill before Parliament.*
4. *Great Advantage that would arise from giving the Society a Statutory Existence, and the Power of Examination.*

1. *Formation and Object of the Society; Advantages which have resulted from its formation:*

On the introduction of Mr. Hawes's Bill it was considered a favourable opportunity for making another attempt to establish a system of examination, *Savory* 488-491—Meetings which took place at that time, the result of which was the establishment of the Pharmaceutical Society, *ib.* 491, 492—The object of that society is the improvement of the education of pharmaceutical chemists, *ib.* 493—Advantages which have resulted from the establishment of the Pharmaceutical Society, *ib.* 532-536—Frequency of deputations attending at the Home Office with drafts of Bills prepared by the society since 1841, all of which endeavours to obtain the introduction of a Bill have proved abortive, *ib.* 537-555.

Nature of the provision made by the Pharmaceutical Society for the education of chemists in this country, *Savory* 567-569—Witness considers the object of the Pharmaceutical Society a good one, *Sir B. Brodie* 724-726—Number of examiners of the society, and nature of the examinations to which students are subject, *Squire* 806-823—Detail of the circumstances which led to the formation of the Pharmaceutical Society; the primary object was education, *Smith* 937, 938. 953-956. 988-991—The introduction of the principle of representation was one of the objects of the society; way in which it was to be carried out, *ib.* 960-965—The certificate of membership given by the society was never intended as a pharmaceutical qualification; it was merely identifying the member with the society, *ib.* 966-972.

2. *Number of Members; Receipts, Expenditure, &c.:*

Statement of the number of members of the society; number of seceders and number of admissions, from 1841 to 1852 inclusive, *Smith* 949-952—Statement of the receipts and expenditure of the Pharmaceutical Society of Great Britain, from 1 June 1841 to 31 December 1851, *ib.* 984—Amount of the annual subscription of the members; persons in arrear are still members until they resign their certificate of membership, *ib.* 985-987—The whole of the income of the society is expended in educational purposes and in keeping up the general establishment, *ib.* 999.

Manner in which the falling off in the number of members and receipts of the society in 1843 may be accounted for; reduction of the subscription in that year, *Smith* 1056-1059—Amount of the examination fees proposed to be taken by the Pharmaceutical Society; also fees of membership, *ib.* 1060-1074—Statement showing the number of persons who have passed their examination at the Pharmaceutical Society of Great Britain since the establishment in 1841, *ib.* 1354.

3. *Approval by the Society of the Bill before Parliament:*

The Bill at present before The House has passed under the review of the Council of the Pharmaceutical Society, and approved of by them, *Smith* 1028-1034.

4. *Great Advantage that would arise from giving the Society a Statutory Existence and the Power of Examination:*

Witness considers the Pharmaceutical Society to be more fit than any society, or any body of men now existing, to have the additional powers sought by this Bill conferred upon them, *Wilson* 37-51—Opinion that great public good would be attained, supposing the society was established by Act of Parliament, and supposing it had an exclusive privilege of examination, &c., *Savory* 591 *et seq.*—Great public advantage would be derived from giving a statutory existence to the Pharmaceutical Society, as it would give the public some means of recognising those chemists who have passed an examination from those who had not, *Sir B. Brodie* 733-742. 747-751—Great disappointment which has arisen from the Pharmaceutical Society not having long ere this obtained



## PHARMACEUTICAL SOCIETY—continued.

4. *Great Advantage that would arise from giving the Society, &c.*—continued.

obtained an Act of Parliament, *Giles* 1324-1330—Proposal of the council for an alteration to be made in the clause of the Bill relating to the election, *Smith* 1343-1345.

See also *Assistants. Auxiliary Associations. Benevolent Fund. Board of Examiners, I. II. 1. Corporate Bodies. Diplomas. Distinction of Professions. Edinburgh. Education, II. Examinations. Fees of Students. Home Secretary. Lectures. Qualification of Chemists. School of Pharmacy.*

*Pharmaciens* (France.) There are two classes of pharmaciens, but the difference is not great, *Kopp* 1413—Those of the first class having the advantage of being able to establish themselves in any part of France, *ib.*—Those of the second class only in the department in which they were examined, *ib.*—Difference in the expenses of the two classes, *ib.* 1414—There is no limit to the number of pharmaciens in a town, *ib.* 1430.

See also *Foreign Pharmacutists.*

*Pharmacopœias.* Difference between the pharmacopœia used at Stockholm and the English pharmacopœia, *Hamberg* 1265.

*Pharmacy.* Where persons are engaged in the medical profession there is a tendency to neglect pharmacy, from their not having time to attend to it, *Sir B. Brodie*, 719—With respect to the allegation upon the face of the Bill, that pharmacy is in a disgraceful state, witness can only say that he has not found this to be the case in Edinburgh, *Gairdner*, 1453.

*Pharmacy Bill.* Witness has some objections to the Pharmacy Bill; ground of these objections, *Webster* 2063 *et seq.*—Witness does not object to the principle of the Bill before the Committee, but is of opinion that this is not exactly the time to legislate upon the subject, and that in some of its details the Bill might be amended, *Cormack* 2371, 2372. 2395 *et seq.* 2415-2417—A good and well-digested Pharmaceutical Bill would be very beneficial to the medical profession, *ib.* 2373-2385.

*Physicians.* See *Sweden.*

*Poisons.* The laws of Germany with respect to the sale of poisons are very strict, no one can sell poisons except an apothecary, *Hofmann* 1158, 1159. 1169, 1170—The law regulating the sale of poisons is very strict in the Mauritius, *Baschet* 1215, 1216—Strict regulation in Sweden for protecting the public against accidents from poison, *Hamberg* 1272—Regulations in France respecting the sale of poisons, *Kopp* 1421-1423—With regard to the responsibility attaching to the compounding of medicines and the selling of poisons, witness considers that more than half the accidents that occur, occur more from carelessness or mistake than from ignorance, *Coombe* 1613; *Webster* 2091.—See also *Toxicology.*

*Prescriptions.* It would be advantageous if it were made compulsory that prescriptions should be written in English instead of Latin, *Lewis* 2851-2853—Chemists and druggists should be compelled to dispense the prescriptions of legally qualified medical men at all times, excepting to children under ten years of age, *ib.* 2854, 2855.

*Professional Classification.* See *Distinction of Professions.*

*Proper, John.* (Analysis of his Evidence.)—Practising as a general practitioner; is a member of the College of Surgeons, 2478-2480—Witness highly approves of the efforts of the Pharmaceutical Society for improving the education of chemists and druggists, 2481-2484. 2510—No person should be allowed to assume the name of chemist without having passed an examination, 2486—The Board of Examiners should be a joint Board, 2487, 2488—In the curriculum of education proposed, there is too much in it of a medical character, 2489—Witness does not approve of the term pharmaceutical chemist; it invades the ground of the apothecaries, 2490-2499—Were the Bill passed without a clause being introduced prohibiting chemists and druggists from practising as medical men, it would be the ruin of the present practitioners in medicine, 2500-2509—Witness has known the worst consequences result from chemists and druggists practising as medical men; passing the Bill without a prohibitory clause will greatly increase the abuse, 2507, 2508.

[Second Examination]—Witness disapproves of the latter part of the clause prepared by Mr. Ancell, prohibiting chemists and druggists from practising as medical men, 2543-2545.

[Third Examination.]—Witness would prefer this Bill being put aside until a general measure of reform was brought forward, 2563—Chemists and druggists should enjoy all the privileges belonging to them, but medical men should be prevented from keeping retail shops, 2563-2574.

## Q.

*Quack Medicines.* The sale of patent and quack medicines by chemists should be prevented, *Webster* 2203-2207—Some legislation with respect to the sale of quack medicines is most important, *Crisp* 2313-2315.

*Qualification of Chemists.* Witness would not say that the incompetence on the part of those who prepare the prescriptions of medical men is general, but there are still many sad exceptions; evidence in support of this assertion, *Wilson* 76-91—Way in which witness would propose that the provisions of the Bill might be carried out, and have the effect of greatly improving the qualification of chemists and druggists, without the objection of creating an entire monopoly, *ib.* 93-120. 126-129—Witness approves sincerely of the proceedings which have been taken by the chemists during the last eleven years, with the view of their raising their qualifications, *South* 208, 209—An Act for regulating the qualifications of pharmaceutical chemists is desirable for the benefit of the public, and the security of the profession against ignorant persons who otherwise might prepare their prescriptions, *ib.* 219.

Importance of simplifying the Bill as much as possible at first, in order to establish a recognised system of qualified persons; the objection to former Bills has been that they were too prohibitory, *Savory* 708-711—Great improvement in the qualification of chemists since the establishment of the Pharmaceutical Society, *Squire* 796-803—Opinion that something should be done to improve the qualifications of chemists and druggists for the safety of the public, *ib.* 822—Opinion that the body of chemists and druggists are not properly qualified for their business, *Herring* 829—Opinion that no qualification to act as a chemist and druggist, rendered compulsory, would be desirable, *Gairdner* 1456-1460. 1476—In witness's opinion, the medical practitioners have a most distinct interest in any system intended for the improvement of the qualifications of the druggists, and witness considers the defect of this Bill is that it does not recognise this principle, *ib.* 1516-1526.

Witness does not consider that the exertions which the Pharmaceutical Society are making to improve the character of chemists are of much importance, *Gairdner* 1557-1559—There can be no objection to an improvement in the qualification of pharmaceutical chemists as to a knowledge of drugs, but the improved qualification should also apply to the wholesale druggist, *Renton* 1971-1976—Objections of the College of Physicians in Edinburgh to the Bill for regulating the qualifications of pharmaceutical chemists, *ib.* 1928, 1929—With regard to its having the effect in the meantime of inducing parties to exert themselves to pass an examination, and thereby raise the qualifications of chemists and druggists, witness would say this might be done without the Bill, *Crisp* 2333-2335.

See also *Assistants.* *Chemists and Druggists.* *Dispensing Chemists.* *Distinction of Professions,* 2. *Education,* 1. *Examinations.*

## R.

*Registration Clause.* Objection to medical men being allowed to register themselves as pharmaceutical chemists, *Pereira* 2708-2714; *Lewis* 2843, 2844—If the Bill were to pass in its present form, there would be nothing to prevent a chemist and druggist registered under the Bill from taking a medical degree, *Lewis* 2843, 2844—By a slight addition to this clause witness's objection would be removed, *ib.* 2844.

*Renton, Robert, F.R.P.E.* (Analysis of his Evidence.)—Objections of the College of Physicians in Edinburgh to the Bill, 1928, 1929—Copy of the suggestions of the College of Physicians on the subject of the Bill, containing their objections thereto, 1930—The College of Physicians has no objection to the incorporation of chemists and druggists for examination and registration, but they consider the present time is inopportune for introducing the improvement, 1931-1941—The College have no objection to the Bill proceeding, provided certain objectionable clauses are taken out of it, namely, the penal clauses, 1940. 1948—Provided the clause exempting the medical bodies was more clearly worded, that the licentiates of the College of Surgeons and Faculty of Physicians of Glasgow were to be in no way affected by the Bill, it would remove one of the objections of the College of Physicians, 1942-1946.

A monopoly would be created were parties prevented from opening shops and dispensing drugs who are not licensed druggists under the Bill, 1947—There is no necessity for a legislative enactment for preventing unlicensed persons from selling drugs, merely preventing them styling themselves pharmaceutical chemist or druggist would be sufficient, 1948-1957—Improved education would afford greater security to the public than any legislative enactment, 1949. 1957-1960—It is very desirable that there should be a separation between the practice of the medical profession and the practice of pharmacy, but witness doubts whether legislation will be able to accomplish it, 1961-1967—Impossibility



*Renton, Robert, F. R. P. E.* (Analysis of his Evidence)—continued.

possibility of a person keeping a druggist's shop without dispensing to a certain extent, 1968-1970.

There can be no objection to an improvement in the qualification of pharmaceutical chemists as to a knowledge of drugs, but the improved qualification should also apply to the wholesale druggist, 1971-1976—Objections to the formation of a Board of Examiners in London who shall have the nomination of examiners in Edinburgh, 1977-1982. 1993—The principal objection of the College of Physicians to the Bill is, that it goes to suppress a useful class of druggists in the small villages of Scotland, and creates a monopoly, 1983—If the Bill is not to interfere with this class of dealers further than to prevent their assuming the title of pharmaceutical chemist, this objection is removed, 1983-1992—If a stringent examination is to be conducted, there is no good reason why the Pharmaceutical Society should object to one of the members of the College of Physicians being present either as an examiner or as an assessor, 1983, 1984. 1993—The proposed alteration of the third clause, relating to voting by proxy, is a decided improvement, and quite satisfactory, 1994-1996—The penalty against fraudulently obtaining a certificate is not sufficiently severe, 1997.

*Restrictive Clauses.* With regard to the restriction in this Bill as to no person being permitted to call himself a pharmaceutical chemist unless he had passed an examination, it would merely operate as regards those persons coming into business hereafter, and therefore the improvements would only come into operation by degrees, *South* 220-222—Grounds for forming the opinion that, from the manner in which the Bill proposes to restrict the practice of chemists and druggists, the Bill is useless, *Upton* 369-374—Stringent provisions should be introduced into the Bill to prevent chemists and druggists from assuming and performing the functions of medical men, *Webster* 2088. 2096. 2164 *et seq.*—See also *Compulsory Clauses.*

*Retail Shops.* Chemists and druggists should enjoy all the privileges belonging to them, but medical men should be prevented from keeping retail shops, *Proper* 2563-2574.

## S.

*Sale of Drugs.* Impossibility of confining the sale of drugs to persons having passed an examination and received a license from the Society, *Sir B. Brodie* 748-753—Opinion that it is desirable to prohibit the sale of drugs by persons not druggists; this applies only to chemists and druggists, not to wholesale druggists, *Herring* 862. 873-918—The sale of drugs and medicines in Germany is entirely confined to pharmacists; medical men never sell their own medicines, *Hofmann* 1163-1168. 1171-1186—As a general rule, it would be desirable that some restriction should be placed upon the sale of drugs by persons not duly certified, but there would be difficulty in carrying this out in remote country districts, *Watson* 1647-1653—Witness would recommend penalties, to prevent ignorant persons from selling medicines and dispensing prescriptions, *Webster* 2089-2096.—See also *Chemists and Druggists.* *Drugs.*

*Savory, John.* (Analysis of his Evidence.)—Chemist, in Bond-street, 457—Studied at the School of Pharmacy in Paris, 460, 461—There was no school in this country for the education of pharmaceutical chemists, consequently a person wishing to be thoroughly acquainted with his profession, was obliged to go abroad for his education, 462-464—General nature of the education of pharmaceutical chemists in France, 465, 466—In France no person can practise even as an assistant without undergoing a strict examination 467-469. 560-566—This has the effect of making apprentices attend closely to their studies to enable them to pass, 469—The absence of any such examination in this country leads to neglect of studies during apprenticeship, 470, 471.

Until the establishment of the Pharmaceutical Society there was no definite course of instruction, even supposing an apprentice were desirous of informing himself respecting his business, 472, 473—Difficulty found in obtaining competent assistants, 474-477—Witness has for a long time felt that some improvement was requisite in the education of chemists and druggists, 478—Petition drawn up by witness in 1830, with a view of establishing a system of examination for all persons calling themselves chemists and druggists, 479-483—Opposition shown by the body of chemists to any such improvement; witness found it quite impossible to bring about any union or organization for that purpose, 484-487.

On the introduction of Mr. Hawes's Bill it was considered a favourable opportunity for making another attempt to establish a system of examination, 488-491—Meetings which took place at that time, the result of which was the establishment of the Pharmaceutical Society, 491, 492—The object of that society is the improvement of the education of pharmaceutical chemists, 493—Steps taken by the society with the view of obtaining the assistance of the London University, the College of Physicians, &c., in the formation of a joint Board of Examiners, 493-512—All communications having proved ineffectual, the society established a Board of their own; nature of the examination to which students are subjected, 507-525. 570-572—Necessity for chemists having some know-

*Savory, John.* (Analysis of his Evidence)—continued.

ledge of toxicology, that in cases of poisoning they may be able to furnish the antidote, 524-529.

The society has carefully endeavoured to avoid everything in their education which should at all trench upon the medical profession, 530, 531—Advantages which have resulted from the establishment of the Pharmaceutical Society, 532-536—Frequency of deputations attending at the Home Office with drafts of Bills prepared by the society since 1841, all of which endeavours to obtain the introduction of a Bill have proved abortive, 537-555—Approval of the Bill at present before the House by the general body of chemists, 556-558, 618-621, 632-638—It is very desirable for the public benefit, and for the promotion of the education of chemists and druggists, that such a Bill should be passed, 559-579—The School of Pharmacy in Paris is a public institution, supported by the government, 560-566.

Nature of the provision made by the Pharmaceutical Society for the education of chemists in this country, 567-569—Importance of all apprentices undergoing a classical examination, 573—General and increasing desire manifested to take advantage of the means which the Pharmaceutical Society offers for education, 575-578—It is very desirable that those parties passing an examination should have the exclusive privilege of dispensing and compounding medicines, 579-588—Importance of some means being used to secure the good quality of the drugs sold by chemists and druggists, 589-590—Great public good would be attained, supposing the society was established by Act of Parliament, and supposing it had an exclusive privilege of examination, &c., 591, *et seq.*

Frequency of persons assuming the title of pharmaceutical chemists who have no claim to the title; this Bill would remedy that defect, 593, 598—Means proposed for securing the good quality of the drugs sold by chemists, 599—The examination by the Pharmaceutical Society would lead to the practitioners becoming better judges of the quality of drugs, 600-602—Comparing the general education of English and foreign students, the foreigners are decidedly better qualified than the English people, 603-610—Improvement in the general education and qualification of assistants since the establishment of the Pharmaceutical Society, 611-617—Objection of the chemists of Scotland to be omitted from the Bill drafted in 1847; they approve of the present Bill, 618-621.

The French pharmaciens are superior to the English, consequent upon their strict examination, 622-627—It is very desirable that in country towns their should be well educated chemists; this object would be attained by some such system of examination as is proposed, 628-631—No person should be allowed to sell any description of drugs who had not passed an examination as a chemist and druggist, 639-689, 705—Observations relative to the expense of country students coming up to London for the purpose of passing their examination as chemists, 643-652, 674-681, 712-714—Witness would like to see patent medicines done away with altogether; he would prohibit them, 683-687, 705—The Board of Examiners should not be composed entirely of the members of the Pharmaceutical Society; the conjunction of members of the Colleges of Surgeons and Physicians would be desirable, 690-694.

Witness does not believe that it is the custom or the wish of chemists and druggists to practise as medical men, 699-704—Difficulty in introducing regulations for the inspection of drugs in the Bill at present before the House, 706-708—Importance of simplifying the Bill as much as possible at first, in order to establish a recognised system of qualified persons; the objection to former Bills has been that they were too prohibitory, 708-711—An improvement in the education of pharmaceutical chemists will tend to decrease the sale of patent medicines, 709.

*School of Pharmacy.* The school of pharmacy has been a very heavy expense to the society; in the prosecution of the object of improved education, expense has been regarded quite as a secondary consideration, *Smith* 988-991—Difficulties which have been experienced in inducing persons to come up to the school and to pass an examination previous to qualification, the society not having the power to compel such qualification examination, *ib.* 1000-1003—The society have long felt that unless some Bill be passed making education requisite, it would be impossible for the society fully to carry out its object, *ib.* 1004, 1005.—See also *Lectures*.

*Scotch Practitioners.* Various obstructions have been thrown in the way of Scotch practitioners by the Apothecaries' Society, *Maclagan* 1882.

*Scotland.* Objection of the chemists of Scotland to their being omitted from the Bill drafted in 1847; approval of the present Bill, *Savory* 618-621; *Smith* 1097-1106; *Mackay* 1681-1685, 1776, 1777—Medical schools and institutions in Scotland where parties could obtain education in case an Act were procured making it requisite for them to pass an examination, *Smith* 1107-1109—The separation of the practice of medicine from pharmacy is no doubt desirable so far as it can be practically carried out, and



*Scotland—continued.*

and it is already wrought out largely in Scotland, *Gairdner* 1511—Necessity for improving the education of chemists and druggists in Scotland, *Mackay* 1688. 1710-1713.

Circumstances attending the opposition of the chemists of Scotland to the Pharmaceutical Society at the time of its formation, *Mackay* 1714-1718—Meetings held, and steps taken for the formation of a Scotch branch of the Pharmaceutical Society, in consequence of the Draft Bill excluding Scotland from its operation, *ib.* 1719-1721—Advantages likely to arise from the union of the chemists, &c., of England and Scotland by the passing of this Bill, *ib.* 1776-1784—It is a question whether the Bill should extend to Scotland; opinion that the authorities in Scotland are perfectly competent to manage these matters, *Webster* 3137, 3138.

See also *Board of Examiners*, II, 4. *Country Districts*. *Education* IV. *Licentiates*. *Medical Practice*.

*Secret Medicines*. The sale of secret medicines is not permitted in Germany, *Hofmann* 1161, 1162—Secret medicines are allowed to be sold in the Mauritius, *Baschet* 1214—Secret medicines are not allowed in Sweden, *Hamberg* 1277—Secret remedies must not be sold by the pharmaciens in France unless they are remedies authorised by the Institute, or the Academy of Medicine, *Kopp* 1420.

*Smith, George Walter*. (Analysis of his Evidence.)—Has been upwards of 30 years in the drug business; has been connected with the Pharmaceutical Society from its formation, 935, 936—Detail of the circumstances which led to the formation of the Pharmaceutical Society; the primary object was education, 937-948—Statement of the number of members of the society, number of seceders, and number of admissions in each year, from 1841 to 1852 inclusive, 949-952—One of the original objects of the society was that of obtaining a Bill for the purposes of education; the number of secessions arises entirely from no Bill having been yet obtained, 953-956. 988-991—In framing the laws of the society great care was taken to avoid those abuses which frequently exist in corporate bodies, 957-959—The introduction of the principle of representation was one of the objects of the society; way in which it was to be carried out, 960-965.

The certificate of membership given by the society was never intended as a pharmaceutical qualification, it was merely identifying the member with the society, 966-972—Various communications which took place between the society and various medical bodies, with reference to the constitution of a Board of Examiners, 973—Establishment of a model school of pharmacy by the society, also lectures and a laboratory; course of studies adopted, 974-976—Statement of the number of pupils who have attended the laboratory, also receipts and expenditure for seven sessions, 1844-45 to 1850-51; 977, 978—Statement of the number of pupils who attended the lectures from 1842 to 1851 inclusive, 979—Manner in which the apparent diminution is to be accounted for, 980-983—Statement of the receipts and expenditure of the Pharmaceutical Society of Great Britain, from 1 June 1841 to 31 December 1851; 984—Amount of the annual subscription of the members; persons in arrear are still members until they resign their certificate of membership, 985-987.

The school of pharmacy has been a very heavy expense to the society; in the prosecution of the object of improved education, expense has been regarded quite as a secondary consideration, 988-991—Observations relative to the benevolent fund of the society; this fund is entirely distinct from the educational fund, 992-998—The whole of the income of the society is expended in educational purposes, and in keeping up the general establishment, 999—Difficulties which have been experienced in inducing persons to come up to the school and to pass an examination previous to qualification, the society not having the power to compel such qualification examination, 1000-1003—The society have long felt, that unless some Bill be passed making education requisite, it would be impossible for the society fully to carry out its object, 1004, 1005.

Importance of all chemists and druggists passing an examination; all persons not so qualified should be prohibited from selling drugs or dispensing medicines, 1006-1055—The Bill at present before The House has passed under the review of the council of the Pharmaceutical Society, and is approved of by them, 1028-1034—Amount of the examination fees proposed to be taken by the Pharmaceutical Society; also fees of membership, 1060-1074. 1072—There would be no hardship in compelling parties to come up to London for examination, 1077-1082—Amount of expenditure which would be necessary for a young man who wished to enter the business of a chemist and druggist, in the event of the examination being established, 1083-1086.

The standard of education among chemists and druggists has been much improved since the establishment of the Pharmaceutical Society, 1092, 1093—Opinion that chemistry is on the advance in this country; the chemists in England, as a body, have made very few discoveries in chemistry; all the great discoveries have been made by foreigners, 1094-1096—Objection of the chemists and druggists of Scotland to their being omitted from the previous Bill; large number of the chemists and druggists in Scotland

*Smith, George Walter.* (Analysis of his Evidence)—continued.

belonging to the Pharmaceutical Society, 1097-1106—Medical schools and institutions in Scotland where parties could obtain education in case an Act were procured making it requisite for them to pass an examination, 1107-1109.

[Second Examination.]—Several instances have occurred of persons coming from abroad for the express purpose of obtaining the diploma of the Pharmaceutical Society, 1187-1190—Branch or auxiliary associations have been established in different parts of the country since the establishment of the Pharmaceutical Society, 1191-1193.

[Third Examination.]—Remarks relative to the branch pharmaceutical establishment at Liverpool; means adopted for the instruction of young men on a very liberal scale, 1335-1339—Objection which has been taken to the plan of voting by proxy with regard to the election of the council in the Pharmaceutical Society, 1340-1345—Proposal of the council for an alteration to be made in the clause of the Bill relating to the election, 1343-1345—Evidence as to the proposed amount of fees to be taken by the Pharmaceutical Society for the education and examination of students, 1346-1351. 1355-1364—It was always understood that the fees paid on examination and the benevolent fund were to be kept entirely distinct and separate, 1352, 1353.

Statement showing the number of persons who have passed their examination at the Pharmaceutical Society of Great Britain since its establishment in 1841; 1354—The present Bill will not in any way interfere with the Apothecaries' Company; no persons will be enabled legally to act as chemists and medical men; the two branches of the profession will remain entirely separate, 1365-1398. 1403—It is the intention of the Bill, that before any party can carry on the trade of a chemist in Great Britain, it will be necessary that he shall be examined by the officers of the Pharmaceutical Society, 1399-1403.

*South, John F.* (Analysis of his Evidence.)—President of the Royal College of Surgeons and Professor of Surgery in St. Thomas's Hospital, 180, 181—Has given some attention to the education requisite in the several branches of the medical profession, 182—The proper method of securing efficient education is to enforce an examination, 183—There is an examination in the College of Surgeons for persons who practise surgery, but it is a voluntary examination, 184-188—Witness considers it a defect in this institution that they have not that power which other institutions have, 189, 190—The same necessity exists for an examination in the case of chemists as in other branches connected with the medical profession, 191-196—The College of Surgeons has no disposition to make a joint Board with the chemists for such an examination; they do not consider it within their province to do so, 197-200—A division of labour is desirable in the profession, and advantage would no doubt arise from a body being recognised by law as representing the department of pharmacy, 202-205.

The state of the law in reference to pharmaceutical chemists is not at the present time satisfactory, seeing that any person can assume the title, 206—It is the duty of the Legislature, in cases affecting life and health, to have a supervision over matters of this description, 207—Witness approves sincerely of the proceedings which have been taken by the chemists during the last eleven years, with the view of raising their qualifications, 208, 209—It is desirable, fair, and proper that the chemists should have the management and examination of their body without the interference or control of any other branch of the medical profession, nor need they trench on the privileges of any other branch, 218—An Act for regulating the qualification of pharmaceutical chemists is desirable, 219.

With regard to the restriction in this Bill as to no person being permitted to call himself a pharmaceutical chemist unless he had passed an examination, it would merely operate as regards those persons coming into business hereafter, and therefore the improvements would only come into operation by degrees, 220-222—Merely examining parties before they had the right of assuming the title of pharmaceutical chemist would be of very little use without the exclusive privilege of vending drugs and dispensing medicines were given to these parties, 223, 244. 255-263. 270-280—It is under this view of the case that witness gives his approbation to the Bill, 245-250—It would perhaps not be practicable to prevent some persons in small country villages from selling simple drugs, such as castor oil, rhubarb, Epsom salts, &c., 264-269. 281—If this Bill should recognise those who have passed an examination as being the only persons who are entitled to call themselves pharmaceutical chemists, it would be a very considerable protection to the public, although they did not have a monopoly in the sale of every kind of drugs, 282-285.

*Squire, Peter.* (Analysis of his Evidence).—Chemist in Oxford-street ever since 1825; has been a member of the Pharmaceutical Society from the commencement, 782, 783—Manner in which apprentices to chemists and druggists formerly picked up a knowledge of their business; no theoretical instruction was ever afforded, 784-790—In Germany a regular education is necessary for pharmaceutical chemists, 791, 792—The chemists of this country are far behind those of other countries in point of education; some regulations for promoting education are requisite, 793-795—Great improvement in



*Squire, Peter.* (Analysis of his Evidence)—continued.

in the qualification of chemists since the establishment of the Pharmaceutical Society, 796-803—Witness is one of the examiners of the society, 797. 804—Number of examiners of the society, and nature of the examinations to which students are subject, 806-823—Opinion that something should be done to improve the qualifications of chemists and druggists for the safety of the public, 822—Some country chemists have come up for examination and passed very creditably, but there have been others woefully deficient, 823.

*Status of Chemists.* Opinion that the advantages which would eventually be derived from the passing of this Bill, would be by giving a higher status to the pharmaceutical chemist, would prevent those from assuming the title who had not passed the examination, and would induce chemists to become in a less degree practitioners, *Wilson*, 148-178.

*Stilwell, George.* (Analysis of his Evidence).—Resides at Epsom; is in general practice, 2736, 2737—It is desirable that the chemists and druggists should be educated, but not in the manner this Bill provides, 2738, 2739. 2744, 2745—It would be quite sufficient if their education extended so far as to enable them to read physicians' prescriptions, and to know the nature of the drugs which they compound, 2740—Objection to the centralizing character of the Bill, and the great power which is given by it to the Board, 2741—There is no necessity whatever for the chemists and druggists being constituted one body, 3742—The most satisfactory mode of examination would be for the magistrates of the county at quarter sessions to appoint two examiners, one of whom should be a medical gentleman, and the other a druggist, and they should recommend licenses to be granted, 2744-2747. 2770-2783. 2818-2822. 2832, 2833—If they are to be medical men, they should possess the same qualification, and undergo the same examination as medical men, otherwise witness considers they are sufficiently educated, 2748. 2770-2774. 2784-2788.

Opinions as to the injurious effect which this Bill would have on country practitioners, 2749 *et seq.*—Witness is afraid that the passing of this Bill would induce chemists and druggists to trench more than they do at present on the business of general practitioners, 2749-2751. 2767-2769—Witness objects *in toto* to the Bill; he objects to the concentration of such large powers in the hands of a certain number of persons who have not yet proved their efficiency; witness refers to the powers of examination; monopoly witness fears will be created thereby, 2752-2766—There are already eighteen or twenty medical bodies, and witness is of opinion that even if his suggestion as to the vesting the power of appointing examiners in the magistrates is not adopted, the Apothecaries' Company, or some other existing body, might have the appointment, 2780-2783—Evidence showing that chemists do act as medical men, and sometimes injuriously; this practice has much increased since the establishment of the Pharmaceutical Society, 2788-2794—Difficulty of preventing this practice, but witness is anxious to prevent its increase, and fears if this Bill be passed it will be more than doubled, 2795-2810. 2816, 2817—If the Bill is to be passed some very stringent clause should be introduced to prevent chemists and druggists from practising, 2802.

How far the Bill draws any further distinction between the functions of the general practitioner and those of the chemist and druggist than already exists, 2811-2817—opinion that this Bill will have the effect of giving an exclusive monopoly of the trade of a chemist and druggist in Great Britain to chemists styled pharmaceutical chemists, 2823-2826—The great objection to the Bill is that it is making chemists professional men, 2827-2831. 2835-2842.

*Stockholm.* See *Sweden*.

*Students.* See *Country Students.*     *Diplomas.*     *Fees of Students.*

*Sweden.* The institutions in Stockholm are under the government, which pays a portion of the expenses; the fees paid by students are very small, *Hamberg* 1236-1238—Physicians are not allowed to sell medicines, nor apothecaries to prescribe, *ib.* 1239-1244. 1278-1282—The number of chemists' and druggists' shops are limited; no person can open a shop without the permission of the Government, which is very difficult to obtain, *ib.* 1249-1264—Pharmaceutical chemists are called apothecaries, 1279. 1289-1292—There is only one class of medical men in Sweden, physicians; surgeons must be physicians, and take their degree at the universities, before they are allowed to practise, *ib.* 1283-1285.

See also *Barber Surgeons.*     *Education, V. 3.*     *Poisons.*     *Secret Medicines.*

## T.

*Toxicology.* Necessity for chemists having some knowledge of toxicology, that in cases of poisoning they may be able to furnish the antidote, *Savory* 524-529.

## U.

*Upton, Robert Brotherton.* (Analysis of his Evidence.)—Clerk and solicitor to the Apothecaries' Society, 286—Is acquainted with the early history of the apothecaries, 290—The charter which separated them from the grocers was granted in the 13th of James the First, 1615; 291—They had for the first time the authority given them to examine by the Act of 1815; 292-294—During a few years prior to 1815 strong efforts were made by the Society of Apothecaries to introduce a Bill for the purpose of giving them power to examine; the primary object of the Bill was to educate the apothecaries as medical practitioners, 293-312—The qualification of persons in pharmaceutical chemistry as dispensers of medicine was a secondary object, 293-302.

The apothecaries contemplated the restriction of pharmacy to themselves, 303-312—A strong opposition arose on the part of the chemists and druggists against this proposal, 313—This resulted in a clause in the Act exempting the chemists and druggists altogether from its operation, 314-316—This clause has in a great measure interfered with the intention which the Society of Apothecaries had in introducing their Act, as regards their interfering to prevent incompetent persons from dispensing medicines, 317-322—The Society of Apothecaries consider the office of dispensing prescriptions a very responsible one, and one which requires education, 323-328—There is no objection on the part of the Society of Apothecaries to the chemists and druggists having an Act to enable them to regulate the practice of their own body, provided the subjects of examination are restricted to those which relate to the proper functions of the chemist and druggist, 329-337. 395-396. 427.

A great jealousy is felt by the apothecaries against the chemists and druggists not confining themselves to their proper duties, but attending the sick, which by law they are not authorised to do, nor are they by education competent, 338. 367. 393—Witness is of opinion that the education of pharmaceutical chemists in chemistry, materia medica, and pharmacy, is calculated to increase their propensity for acting as medical practitioners, 339-342. 389-394. 397-405. 428-430—No difficulty of drawing the line between that which a chemist may properly do in his capacity of chemist, and that which he may do which trenches on the medical profession; the difficulty is in keeping him within it, 343-359—Witness is of opinion that every person who dispenses should be educated and tested by examination, the examination being conducted by the body to which he belongs, 361-365. 368—Grounds for forming the opinion that, from the manner in which the Bill proposes to restrict the practice of chemists and druggists, the Bill is useless, 369-374.

Witness conducts the legal business of the Apothecaries' Company, 375-378—The third clause of the Apothecaries' Act, which gives the power to enter the shops of the apothecaries and examine the drugs, has been acted upon up to within the last three or four years, but not since, 379—Practically it was found that the power of inspection did not act satisfactorily, 380-388—Since the Act of 1815 the character of the general practitioner has very much improved throughout the country, 402-404—As the Bill stood last year there was a very grave objection to it on the ground that an incorporated body like the pharmaceutical chemists would very much interfere both with the profits and the business of the general practitioners, 405.

It was proposed to exclude both apothecaries and medical practitioners from acting as chemists and druggists without the license of that body, 405. 431-433—It would be better to have a general measure of medical reform than to take up isolated matters, such as this Bill proposes, 406-409—Witness conceives that this Bill will only affect those persons who aspire to the title of pharmaceutical chemist, 416-421—The apothecaries of London are frequently also chemists and druggists; it is not the intention of the Society of Apothecaries to interfere with this practice, 422-427—Witness does not object to the education of chemists and druggists, but his opinion is that if it is desirable that the Legislature should interfere at all, it should interfere efficiently, and the education should be compulsory, 431-438. 452-456—Evidence on the subject of the funds of the Apothecaries' Society, and the appropriation thereof, 439-451.

## W.

*Watson, James, M. D.* (Analysis of his Evidence.)—President of the Faculty of Physicians and Surgeons of Glasgow, 1617—Has heard the previous examinations of Dr. Gairdner and Dr. Coombe, and agrees generally in the opinions they have expressed, 1618. 1619—The body of which witness is president is different from those in Edinburgh in this respect, that they have the power, and have exercised that power, of examining pharmacists by themselves, 1620, 1621—As witness reads the Bill before the Committee, it certainly takes away the privileges of the licentiates of the Scotch bodies; but a great deal of witness's objection to the Bill would be done away with if their privileges were not interfered with, 1622-1632—There is no doubt the duty of dispensing prescriptions



## Report, 1852—continued.

*Watson, James, M. D.* (Analysis of his Evidence)—continued.

scriptions is one that requires education, 1633—But witness fears that this new body to be constituted will grow up, like the Apothecaries' Company, into a body of medical men, 1635. 1659-1661.

The separation between pharmacutists and medical men, if confined to large towns, would be exceedingly just, but it would not apply to the poorer districts of the country, 1636, 1637. 1662, 1663—The power of the Faculty of Physicians and Surgeons of Glasgow to examine chemists and druggists has fallen into disuse, 1638-1645—Objection to the compulsory clauses of the Bill, particularly as regards the penalties, 1646. 1654, 1655—As a general rule, it would be desirable that some restriction should be placed upon the sale of drugs by persons not duly certified, but there would be difficulty in carrying this out in remote country districts, 1647-1653—Opinion that the Scotch medical bodies should be represented in the Board of Examiners, 1656-1658.

Speaking generally, witness is in favour of a better education and qualification of chemists and druggists, but he considers this Bill too stringent as regards fines and penalties; and the Bill is but too likely to create a monopoly, 1663-1673—Witness cannot devise any mode by which the education of chemists could be elevated more than by giving them at least some privileges, 1664—Giving those who came forward to be examined the privilege of styling themselves pharmaceutical chemists would induce them to come forward to be examined, 1665, 1666—Witness's great objection to the Bill is, that he considers it will be an obstruction to the General Medical Reform Bill, 1667.

[Second Examination.]—Suggestion that Glasgow should have a Board for examining the pharmaciens, to sit either constantly or occasionally; there are several well-qualified pharmaceutical chemists in Glasgow fully able to examine on the practical part of their profession, 1922-1927—The same accommodation should be given to Aberdeen and other large towns at a distance from Edinburgh, 1923.

*Webster, George, M. D.* (Analysis of his Evidence.)—Witness has some objections to the Pharmacy Bill; ground of these objections, 2063 *et seq.*—Witness's first objection is, to the incorporation of a new society, which might be advantageously joined with a society already in existence, the Apothecaries' Society, 2064—Witness does not deny that the education of chemists and druggists is desirable, but he considers that the course of education proposed by this Bill would tend to raise them too much to the rank of medical practitioners, 2065-2085. 2125-2131. 2145 *et seq.* 2195—Counter practice now prevails to a great extent among chemists and druggists, and is a great evil, and there is great difficulty in restraining it, particularly in small country towns, 2076-2085. 2125-2131. 2145 *et seq.*—Witness does not know that he would object even to the course of education which is pointed out by the Bill if it were fairly guarded by clauses preventing chemists from practising the medical profession, 2080-2087. 2164 *et seq.* 2195—The safeguards which witness would recommend would be penalties to prevent illegal practice, 2088. 2164 *et seq.*—Witness would also recommend penalties to prevent ignorant persons from selling medicines and dispensing prescriptions, 2089-2096—Opinion that no very great amount of education is necessary, 2091.

The cases of poisoning that occur arise more from accident and from mistake than from ignorance, 2091—Witness sees no objection to the management of the chemists' affairs by the chemists themselves; but would certainly have preferred seeing the Apothecaries' Society taking the superintendence of pharmacy and chemistry to the creation of a new corporation, 2097—Suggestion that the Apothecaries' Society should be divested of what may be called their medical functions, and amalgamated with the Pharmaceutical Society, 2097-2124.

Way in which this arrangement might be carried out, 2097-2124—It is a question whether the Bill should extend to Scotland; opinion that the authorities in Scotland are perfectly competent to manage these matters, 2137, 2138—Objection to widows of pharmaceutical chemists, or their executors or administrators, being recognised by the Bill, as they are in clause 15; 2138-2144—Witness would very much like to see medical men prevented from acting as chemists and druggists, 2145-2157—But at the same time chemists and druggists should be prevented from assuming the functions of medical men, 2145-2157.

Expression of the opinion that this Bill would tend much more to increase this practice than to put it down, 2145-2170—Difficulty of drawing the line between the practice of medical men and the business of chemists and druggists, 2171—How far this Bill makes the line more distinct, 2172-2175—It might perhaps be well to mark two classes, the scientific chemist and the dispensing or vending chemist, and their education might be different, 2176-2189—In thickly populated districts it would be an advantage, after a certain term of years, to interdict legally-qualified practitioners from carrying on business as chemists and druggists, 2190-2194—The sale of patent and quack medicines by chemists should be prevented, 2203-2207.

*Widows of Chemists.* In Sweden as in Germany the widow of a chemist may succeed to the establishment of a chemist, but she must employ a person regularly educated and

*Widows of Chemists*—continued.

examined, *Hamberg* 1286-1283—Objection to widows of pharmaceutical chemists or their executors or administrators being recognised by the Bill, as they are in clause 15, *Webster* 2138-2144.

*Wilson, James Arthur*, M.D. (Analysis of his Evidence.)—Senior physician to St. George's Hospital; has lectured on clinical medicine and on the practice of physic, 1-3—Has given considerable attention to the subject of the education which is requisite in medical practitioners, and with respect to all branches connected with the medical profession, 4-5—It is as necessary for the person who compounds the prescription to be educated in pharmacy, as it is for the physician to be educated in the practice of medicine, and the surgeon in surgery, 6, 7—Pharmaceutical chemists ought to be examined by some Board before they undertake to compound prescriptions, 8—By certain Acts of Parliament the censor of the College of Physicians is required to examine the "wares and stuff" of the apothecaries within the precincts of the city of London, 10-12.

Witness is not aware that there is any law which obliges a chemist to study at all, 13—The office of chemist was formerly performed by the apothecaries, 14—At several periods before 1815 an Act was endeavoured to be obtained to enforce the examination of apothecaries dispensing medicine, 15—In 1815 it was proposed to the College of Physicians to undertake it, but the College declined it, 16, 17—Upon this the power was conferred upon the Society of Apothecaries; this society has since become a society of medical practitioners, 18-20.

Although the society still continues as a trading company in drugs, this is considered as secondary to medical attendance and practice, and consequently to a certain extent they neglect pharmacy, 21-25—Opinion that pharmacy cannot be so well or so thoroughly carried out by apothecaries or by medical practitioners of any denomination, as by a class of men whose attention is specially and wholly given to the subject, 25-28—On the introduction of Mr. Hawes's Bill in 1840, and on the establishment of the Pharmaceutical Society, interviews took place between them and the College of Physicians, and it was acknowledged by the College that an examination of chemists and druggists was essential, 31-35—How far the College of Physicians has taken any steps to carry out out these views, 36.

Witness approves most strongly of the formation of the Pharmaceutical Society, and of their operations, and does not see that giving them the power of undertaking the examination of future members of their own body could possibly trench on any of the privileges of medical men, individually or in corporation, 37-47—Witness's impression is that the Pharmaceutical Society is large enough to form an adequate representation of the chemists of the United Kingdom, and that it was established for a public object, 48-50—Witness considers it to be more fit than any society or any body of men now existing to have the additional powers sought by this Bill conferred upon them, 51-55—With respect to the quality of the drugs which would be dispensed under the operation of the society, it would give an additional guarantee of their quality in the first instance, but a frequent inspection would no doubt be afterwards necessary, 56-62. 78 *et seq.*

Conferences have taken place between the Pharmaceutical Society and the College of Surgeons, for forming joint Boards of Examiners, but have led to no result, 63, 64—In consequence of this the Pharmaceutical Society appointed a Board, and have been conducting examinations ever since, 65—Witness sees no objection to giving them this power by Act of Parliament, 66-72—Witness is hardly in favour of giving the Home Secretary any great power over the society, 72-74—Witness would not say that the incompetence on the part of those who prepare the prescriptions of medical men is general, but there are still many sad exceptions; evidence in support of this assertion, 76-91—It is most decidedly desirable that some further steps should be taken to secure the educational competence of the chemists and druggists generally throughout the kingdom, 92—Way in which witness would propose that the provisions of the Bill might be carried out, and have the effect of greatly improving the qualification of chemists and druggists, without the objection of creating an entire monopoly, 93-120. 126-129.

Witness attributes the estimation in which chemists are held in foreign countries to the preliminary superior education they undergo, 122-125—Further expression of the opinion, that even should the powers sought for be given to the Pharmaceutical Society, a frequent inspection of the drugs would still be necessary; evidence relative to the nature of the inspection to which the drugs are at present subjected, 129-147—Opinion that the advantages which would eventually be derived from the passing of this Bill, would be by giving a higher status to the pharmaceutical chemist, would prevent those from assuming the title who had not passed the examination, and would induce chemists to become in a less degree practitioners, 148-178—The Bill might not perhaps secure the public against incompetence on the part of the chemists, but it would render incompetence much more unlikely in process of time, 179.

*Wood,*



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Report, 1852—*continued*.

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*Wood, Alexander*, M.D. (Analysis of his Evidence.)—Secretary to the College of Physicians in Edinburgh; lectures on the practice of medicine, 1999–2001—Opinion that chemists and druggists at present are not sufficiently educated, 2002—The course of education introduced by the Pharmaceutical Society would improve the character of the chemists to a great extent, 2003, 2004—Doubts as to whether the Bill would effect the objects intended by it, as it would increase the expense of the education necessary, 2005—The great injury which is done to the public in the sale of drugs of inferior quality is more by fraud than by ignorance, 2006–2019—Evidence relative to the nature of the examination to which students are subjected at the College of Surgeons in Edinburgh, 2019–2039—The College of Surgeons do not object to, but rather approve of the Bill, provided it is not made compulsory and restrictive, 2030–2032—It would be exceedingly satisfactory to the Fellows of the College of Surgeons if some means were taken to secure them against this new class of pharmaceutical chemists ever rising into medical practitioners, 2040. 2056–2062—Considering the strong interest the College of Surgeons has always taken, and the rights they have in regard to pharmacy, they ought to be directly represented in any body that may have charge of pharmacy in Scotland, 2040–2054—Necessity for some direct clause prohibiting any one licensed under the Act as a pharmaceutical chemist from prescribing for patients, 2055–2062.

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